RICHARD REEVES ON THE NEW GENERATION OF POLITICAL REPORTERS

The Washington Monthly

DECEMBER 1977/$1.50

1 MONEY DOESN'T TALK IN WASHINGTON

2 THE CASE FOR POLITICAL PATRONAGE

3 WHAT'S WRONG WITH DENTISTS

4 WHY SENATOR EAGLETON FIRED ME

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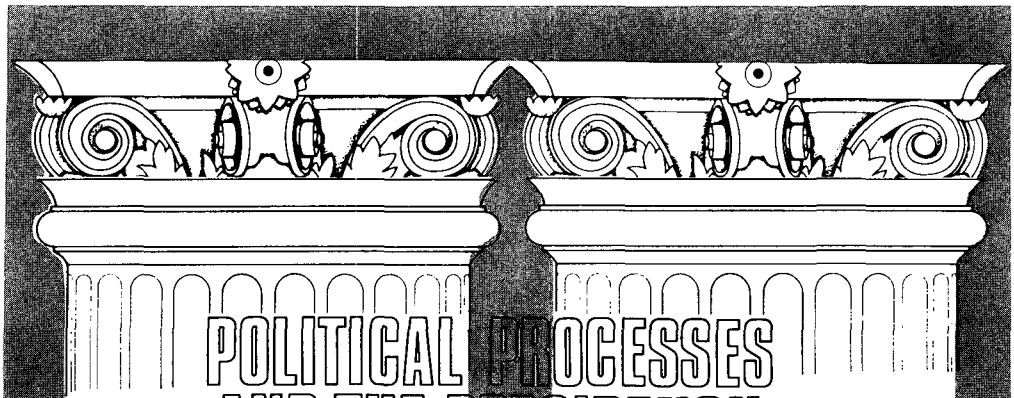

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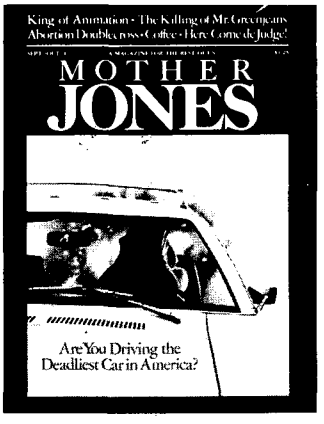

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Letters

John Brademas and Tongsun Park

John Brademas never attended Georgetown University and was never a roommate of [Tongsun] Park's at Georgetown University or any place else [as *The Washington Monthly* reported in October]. . . . For a few months in 1962 Park had an apartment in the same Georgetown building in which Brademas and Lud Ashley shared an apartment. In a few of the initial Park stories a year ago, this somehow was reported as Brademas rooming with Park in the Georgetown section, at Georgetown University, or having attended Georgetown University together.

BURT HOFFMAN
Washington, D.C.

Burt Hoffman is a special assistant to Rep. John Brademas.

Political Science

Your September article, "What's Wrong With Political Science?," errs only in being an understatement and undergeneralization. It is not only political science but all of the social sciences, with a few patchy exceptions, that have put themselves into theoretical and methodological straightjackets that make them nothing more than recorders and analysts of frontwork. In sociology the ultimate example is that of Irving Goffman's argument that self-presentations in public places constitute *the* reality of individual and social life. All serious distinctions between lies and truths, fronts and realities, public and private disappear. . . .

JACK D. DOUGLAS
San Diego, Calif.

Jack Douglas teaches sociology at the University of California, San Diego.

I have read Michael Nelson's "What's Wrong With Political Science" and my belief has been reinforced that the only thing worse than official Washington (and others, for that matter) not listening to political scientists is to have them listening to political scientists.

WILLIAM CROTTY
Evanston, Ill.

William Crotty teaches political science at Northwestern University.

My first reaction to "What's Wrong With Political Science," was to plead nolo contendere on behalf of my client. Your major criticisms of the discipline were pretty much on target. . . . [But] the prescriptions for changing political science to bring it more in line with the needs of society seems to me to be singularly incorrect. It may be that there is a need for formal citizenship training, but I'm just not convinced that it should be done at the Ph.D. level. Moreover, if law schools ever took seriously their responsibilities to train their students in legal ethics or business schools taught courses in business ethics, it might be incumbent upon political science departments to spend their time grappling with questions such as the duties of the citizen or their responsibilities in a democracy. Alas, the very people who control government most decisively get none of this training in professional virtue. Why place the burden for public rectitude on political scientists who, if the article is to be believed, count for little anyway?

ROSS K. BAKER
New Brunswick, N.J.

Ross Baker teaches political science at Rutgers University.

I would agree totally with Mr. Nelson that the civics training most people receive is pollyanna-like; I also think it is a good idea to teach people "how their system really works." I sense difficulties in his suggestion that political scientists should teach people "how they can make [the system] work for them." The people who *most* desperately need this knowledge are the ones who are *least* likely to attend college. Moreover, "making the system work" for much of the population might imply advocacy of militant direct action, cohesive mass organizations, a politicized labor union movement, or a new political party. Although I can not be sure, I have a hunch that Mr. Nelson's ideas of "making the system work" do not envision such possibilities (anyone who would cite Kissinger and Brzezinski as successful practitioners without mentioning Dan Ellsberg or Morton Halperin makes it fairly clear where his head is at). . . .

TIM MCKEOWN
Menlo Park, Calif.

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Tilting at Windmills

As a lunatic fan of baseball and football, I am not ordinarily bothered by the hysteria that characterizes America's reaction to sports. However, I don't like boxing, so I was struck by this sentence from *The Washington Star*'s story that the television, but not the ringside, audience was told the round-by-round scoring of the Ali-Shavers fight: "The electronic precedent created an immediate uproar in ring circles, provoked protest from leading boxing officials and, in Washington, triggered sharp reaction from congressional, government and consumer groups."

One of the consumer groups that stood up for the rights of the affluent ringsider as against the average man sitting beside his television set was Ralph Nader's new group, F.A.N.S.. Peter Gruenstein, executive director, said, "I find it incredible that people who pay $100 for a seat to a fight get worse service than people sitting at home." We're trying to figure out where this new direction might lead the Nader movement. Perhaps they'll take up the cause of defective-diamond buyers or of passengers who get bumped from the Concorde. And, of course, there's the serious problem of misleadingly labeled caviar.

The Brookings Institution has recommended that the Agency for International Development be abolished. We second the motion. The agency is top-heavy with senior program analysts who draw high salaries for telling a dwindling number of people in the field what to do. In 1961, 31 per cent of AID's full-time American employees were based in Washington. The figure is now 69 per cent. And because of reduction-in-force rules and the elimination of 10,000 jobs since the height of the Vietnam war, senior employees have been steadily bumping the younger, more energetic, and more imaginative out of the agency.

The present head of AID, John Gilligan, is a nice man who seeks a smooth, trouble-free administration. If we are to have any hope of a program that really helps poor nations, we need a totally different personality type to run it.

As I am writing this, six weeks have elapsed since Viola Harkins was fired from her White House correspondence job as a security risk. From all we've heard, it was a McCarthyite outrage of the kind that usually makes liberal blood boil. For some reason, however, the press has not pursued the story. There have been no suits filed by the ACLU, no benefits by Pete Seeger. Harkins was fired by Hugh Carter, Jr., widely regarded as the least able member of the White House staff, because she had recently seen a former boyfriend with whom she had worked in a Black Panther-sponsored breakfast program five or six years ago. Carl Leubsdorf of *The Baltimore Sun* did pursue the story to the office of White House counsel Robert Lipshutz, who told him, "We always try to do the right thing. We don't always succeed. But we try." That must be a great comfort to Viola Harkins.

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Jerry Brown's warm humanity has been captured by Martin Schram of *Newsday*, who, in the course of eating dinner with Brown at a restaurant, observed this incident:

"Two Brown constituents from rural California shyly approach. They are a man and a woman and they ask for autographs for people back home. No, Brown says. And then he says okay—but it turns out that he is mocking them. He grabs two napkins and prints—deliberately using a print scrawl like that of a seven-year-old—the name of their home county, and then he prints a large, sloppy capital J and a large, sloppy, capital B. He shoves the napkins to them. They look at the napkins stunned, and the woman looks mortified, almost panicky, and they take this putdown-of-a-napkin with them as they walk away from the famous leader they had been so proud to meet."

Ymelda Dixon's column in *The Washington Star* recently began:

"In Georgetown and environs, politics continues to be the chief topic of conversation unless a sex scandal has broken or an entertainment star has died. More and more, especially among the oldsters, the plaint is: 'Why don't we see more Carterites?' This tack is not entirely confined to Democrats who went underground during the Republican administrations and who, after supporting Carter, expected to rise and shine again.

"The bewildered know few administration figures except Cyrus Vance, Patricia Harris, Joe Califano, Bob Bergland, Brock Adams and/or James Schlesinger. But most White House staffers are not well known. Comments one of the bewildered: 'Maybe it's just that we are not the Carterites' cup of tea.' "

This may be bad news for Georgetown but it's good news for the rest of us that at last we have a White House staff that appears immune to the social hustle. There are other good things about this administration that need to be pointed out to balance all the negative comment it has received recently. The vicious back-biting that used to go on at the White House under Kennedy, Johnson, and Nixon hardly exists under Carter. Nor is there the fear of the President's dark side that was present under Johnson and Nixon (fear that your phone might be tapped, for example, was widespread under both men). In the Middle East the President has proceeded with a commendable effort to satisfy the legitimate aspirations of both the Israelis and the Palestinians. He was right about the B-1 and about the fast breeder reactor. His welfare and tax reform programs point in the right directions.

But there is a negative side. Most serious to us is his failure to take on the bureaucracy. Almost as bad, Carter grants access to only five people—Powell, Jordan, Eizenstat, Brzezinski, and Frank Moore. They are the only members of the White House staff who see him personally and frequently and can participate in a wide-ranging give-and-take on matters of policy. This is demoralizing to the rest of the staff. It also tends to deprive the President of argument and suggestions from anyone who doesn't have line responsibility over the matter at hand. Dealing only with those who have direct authority means, as Robert Samuelson has pointed out in *The National Journal*, that Carter's tax and energy and welfare and social security programs are compartmentalized—not connected to one another, as they should be.

In the case of the energy program, the lack of outside criticism has been particularly costly. There is also something unsettling about the way Schlesinger conned Carter. Schlesinger's approach is "I'm so goddamn intelligent and arrogant that if I talk to you politely you can assume you are being recognized as a first-rate mind, and you can be sure no one else is worthy of inclusion in our dialogue." Carter fell for it and got an ill-considered energy program in exchange—and managed to make the program the centerpiece of the first year of his administration.

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Several months ago we suggested that Carter try gasoline rationing as a democratic non-inflationary alternative to the Schlesinger program. "A good idea," friends replied, "but the people would never stand for it." Now we have a poll, recently reported by the Associated Press, that says nearly 60 per cent of automobile drivers said they would support rationing if the President thought it was necessary. This confirms what we've always suspected: If the President proposes a program the people think will actually deal effectively with the energy problem, the people will support it even if it means real sacrifice. But they aren't going to accept even modest sacrifice for a program that won't work.

There are things government can't do, but it can ration gas. It did so with fairness and efficiency and at reasonable cost during World War II and can do so again. Rationing would not only make sure that gasoline went to people who needed it instead of people who would pay any price, it would also avoid the inflationary consequences of such schemes as the well head tax.

Carter's statement that he would rather commit political suicide than desert Israel reminds one of Richard Nixon in his prime (it's those Arab precincts in Brooklyn that can really kill you). . . . Now that everyone is finally realizing that one of the main problems of the government is its inability to fire incompetents, the House Civil Service Committee has come up with a bill to make it even harder. The bill (HR 6225), according to Joseph Young of *The Washington Star*, would give employees the right to a hearing before being fired, in addition to all the rights they now have after they are fired. Write Rep. William Clay, co-sponsor of the bill, and tell him what you think. . . . The government spends millions of dollars to fight the effects of cigarette smoking, but almost nothing to find ways to help people stop smoking. Nine out of ten smokers interviewed in a HEW survey recently said they wanted to quit, so it seems not to be lack of the desire to stop that keeps people smoking. I think a more important reason why people keep smoking is that nicotine is addictive, and that's where the government can step in.

I smoked three packs a day for more than 25 years. I tried every conceivable way to stop. I felt real contempt for my lack of will-power. But I kept smoking.

Then, seven years ago, I got so sick that I *couldn't* smoke for a week. That got me over the addiction hump, and from there it was surprisingly easy to quit. I haven't smoked since.

Obviously what smokers need is a medication that does for them what my sickness did for me—helps them through the first few horrible days of withdrawal. Considering the harm that cigarettes do, shouldn't the development of such a medication be a primary target of health research? . . .

The aesthetic crime of the year is I. M. Pei's new building for the National Gallery. It might have been defensible set on some lonely plain or even in the city if it had been scaled to its surroundings. But placed at the intersection of Pennsylvania and Constitution, it not only dwarfs the Gallery, but obscures the marvelous view of the Capitol one used to have coming down those avenues. It is half way between the FBI's J. Edgar Hoover Building and the House's Rayburn Building. The three illustrate a broad range of contemporary architecture and each is a disaster in its own special way . . . . If there is anything good about the war between the pro- and anti-abortion people, it is the way that it illustrates that people do not have to have a pecuniary interest to get involved and work hard on behalf of political causes they believe in.

—*Charles Peters*

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The Case for Political Patronage

by Nicholas Lemann

Lately *The Candidate*, the Robert Redford movie about a senate race in California, has been turning up on television. It's usually shown right after the public affairs shows on Sunday afternoon, which couldn't be more appropriate, because *The Candidate* is something of a public affairs show itself. Its theme is the evils of politics. It traces Redford's progress from idealistic young legal aid lawyer to photogenic young senator-elect. The more he compromises his ideals, the more he fudges his positions, the more he lets his advisors manipulate him like a product, the better Redford fares at the polls. At his victory party, the final step in his degradation, his father, an opportunistic ex-governor played by Melvyn Douglas, embraces him and says with a broad leer, "Well, son, you're a politician now." The implication is that there's no lower state to which a person of character can sink.

Nicholas Lemann is an editor of The Washington Monthly.

Every day the papers seem to carry some confirmation of that message. For instance, not long ago Michael Straight, the acting chairman of the National Endowment for the Arts, told *The New York Times* that "the cancer of political interference has begun to undermine the credibility" of the arts endowment and its sister organization, the National Endowment for the Humanities. The cancer was manifesting itself, Straight said, in the appointments of the "political" Livingston Biddle to head the arts endowment and the "political" Joseph D. Duffey to head the humanities endowment. Furthermore, he said, the coordinator of the White House's arts policy is Joan Mondale, and "she's political." A few days later, Hilton Kramer, a *Times* critic, chimed in. "A specter," Kramer wrote, "is haunting the arts and humanities today." He went on to warn that "aggressive politicization of Federal cultural policy is now imminent." Against this barrage, all the White

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House could do was protest lamely that the appointments were in fact non-political.

Then there's the case of the United States Attorneys, the 94 appointed lawyers who prosecute federal cases in the various states. Here too, respectable people want to get rid of politics, replacing it with merit. Whitney North Seymour Jr., a former U.S. Attorney in New York, is speaking for the legal establishment when he says, "the selection and tenure of U.S. Attorneys . . . must be removed from the political arena." It was taken as a hopeful sign when Jimmy Carter promised during his campaign that as part of a general cleansing of Washington, he would appoint U.S. Attorneys "without any consideration of political aspects or influence," and on "a strict basis of merit." Carter's attorney general, Griffin Bell, has repeatedly made a point of endorsing this view.

So when Carter went back on his word, the reaction was suitably bitter. When he fired the U.S. Attorney in Detroit, Philip Van Dam, solely because he is a Republican, Van Dam called it "politics as usual." When he fired Jonathan Goldstein, the U.S. Attorney in New Jersey, for the same reason, Goldstein said that evidently "my record of accomplishment on behalf of the United States must give way to the dictates of politics." Asked to explain the firings, all Griffin Bell could say was that "we had an election last year and the Democrats won." Where there had once been such hope, in short, politics again had its shabby way.

Politics today is widely seen as a senseless roadblock in the way of merit. This attitude is nothing new, of course. During the last century more than 99 per cent of the federal government has moved from the realm of politics to the realm of merit, a development roundly applauded at every step of the way. Jobs as U.S. Attorneys are among the few political ones left. Before they're changed too, it's worth looking at them- and through them, at politics generally—a little more closely. Are political appointments really a bad thing? Are politics and merit wholly separate and opposite? I don't think so.

The idea of making U.S. Attorneys non-political grows out of experiences like Jonathan Goldstein's. Goldstein was the third in a series of tough, independent federal prosecutors who have gone quite a way towards cleaning up their legendarily corrupt state. They have convicted some twelve mayors, two congressmen, two state party chairmen (a Republican and a Democrat), the president of the state senate, and the speaker of the state assembly, among others.

Back in January, even before the Inauguration, Goldstein decided he would put Carter's promises to the test and steadfastly refuse to quit for political reasons. In February and March he told Bell he wanted to stay on and met with Bell and associate attorney general Michael Egan in Washington, from whom he heard encouraging words.

In August, following some hectic political maneuvering, Egan asked Goldstein to resign. He refused, and in September Carter fired him. Goldstein explains his fate this way: "The lawyers, the influence peddlers, the power brokers—they wanted a change in this office. They wanted to be able to pick up the phone and call this office about the handling of a case. They wanted to be able to place assistants in this office."

This is how Goldstein thinks U.S. Attorneyships should be handled: In every state there should be a panel made up of non-political leaders of the bar, law school deans, judges, and maybe even laymen. When a U.S. Attorney vacancy opens up in a state, the panel would consider applications from one and all, on their merits, and then forward their recommendations to the attorney general, who would make the final decision. Merit plans typically sound like this. Seymour's, for instance, has judges (and perhaps

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bar associations and governors) choosing nominating commissions that pass lists of candidates to the President, who must choose from the list. The idea is to have appointed officials—or people appointed by appointed officials—as the sole source of U.S. Attorney nominees.

Here and now, this is how the political appointment process functions:

The appointment of federal prosecutors and judges is one of those areas of the government's operations that doesn't work the way the civics textbooks say it does—in fact, it works exactly opposite from the way it's supposed to. According to the Constitution, the President appoints judges and prosecutors, with the advice and consent of the Senate. In practice, the Senate appoints them with the advice and consent of the President. If one or both of the senators from a state with a U.S. Attorney vacancy belongs to the President's political party, they nominate someone to fill the vacancy. The President and the attorney general then screen the nominee, and submit his name to the full Senate for confirmation. There is almost never a confirmation fight, as there often is for genuine presidential appointees. It's the executive branch that does the reviewing of the nominee. When both senators from the state in question are from the opposition party, then other officials—congressmen, mayors, local bosses—get into the act, but their nominations carry less weight.

So U.S. Attorneys usually come out of the culture of young, aggressive lawyers who, out of a combination of ambition and public-spiritedness and desire to be where the action is, participate in state and local politics. Take the case of Tommy Roberts, a lawyer in his thirties in a Western state who's at the moment running very hard for a U.S. Attorney's job and understandably doesn't want to see his real name in print. Roberts teaches at a law school in the city where he lives, helps run a legal clinic, and occasionally handles criminal cases for wealthy clients. He regularly works in political campaigns. After ten or twelve years of practice, he knows a lot of people in town.

In Robert's town the U.S. Attorney is a Republican, appointed during the Nixon Administration, whose term expires early next year. Both senators from the state are Democrats. They have an informal arrangement governing the appointment of judges and prosecutors, which is that they'll take turns being the lead man on the appointment. The lead man can nominate the person he wants, assuming his colleague doesn't object. Earlier this year the senior senator appointed a new judge to the circuit court of appeals, so on the U.S. Attorney it is the junior senator's turn.

Unsavory Connections

As soon as Carter took office, the junior senator started to press for the appointment of a man who had helped manage his last campaign. But besides being a loyal friend and supporter, the nominee didn't have much to recommend him. He wasn't highly thought of in the legal community, he had little directly related experience, and there were apparently a couple of unsavory connections in his past. The Justice Department balked, which it does often in situations like this. It's important to the attorney general to have people he trusts as U.S. Attorneys—he has policies to carry out and he wants them carried out well, partly because they'll reflect on his department, and, ultimately, on Jimmy Carter's stature at election time. And a questionable appointment can be

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. . . the motive to become a U.S. Attorney is a mixture of ambition and altruism.

very messy—the press raises a fuss, the public becomes aroused, and, again, it reflects badly in the end on Carter. There are two sets of self-interests at work in a U.S. Attorney's appointment—the senator's and the President's—and they work as countervailing forces.

The junior senator didn't press the point. He deputized a lawyer friend to call around and see who else was qualified and interested.

A couple of months ago, this friend called Tommy Roberts, and Roberts said he was interested in the job. The friend set up a meeting between Roberts and the junior senator when the junior senator was next in town. Roberts was apprehensive about the meeting because he had supported the senator's opponent in an election once, but it went well. It was time to start campaigning.

"What you do is—well, it's a situation where you let people know you're interested in the job, and if they see fit they'll write the senator about it," says Roberts. "You talk to local leaders. Senators have to please the public—they're accountable to the public. So they're interested in knowing if you're accepted by the bar, by the judiciary, by blacks, by labor, and so on. So I'll call a guy on the phone, I'll say if he sees fit to recommend me to the senator I'd appreciate it. I talk to people I've known ten, fifteen years who I know the senator thinks highly of. But it's best when—well, the senator might not know these people know me, you see. I've talked to dozens of people, and had dozens of letters written.

"Then, maybe the senator will talk to, or have lunch with, a guy who's interested in seeing me get the job. The guy'll report back to me, tell me how it's going. Right now it looks pretty good." It takes a strong ego to do all this, but Roberts has one—and U.S. Attorneys need a strong ego, too. The present system does not often produce shrinking violets or time-servers.

People like Tommy Roberts aspire to U.S. Attorneyships for a mixture of reasons. The jobs are high in visibility in a field where public exposure (of great value for anyone thinking of running for office or expanding his practice) is desperately hard to come by. They involve legal work that's consistently more interesting than most of private practice. They're thought of as good stepping-stones to federal judgeships. The client—the federal government—is a prestigious one, and one that is more idealistic than most. It's easier for a lawyer to feel proud of what he does, to feel he's leading a significant life, when he's prosecuting the government's cases than when he's toiling away in the anonymity of private practice, helping corporations save some money on their taxes. In other words, the motive to become a U.S. Attorney is a mixture of ambition and altruism.

Auto Thefts and Bank Robberies

Once in office, U.S. Attorneys handle all the federal government's legal work in their districts, which makes them quite important officials. At its most mundane, the work involves auto thefts (because that's a federal crime) and bank robberies, and

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A "political" appointee would be politically stupid for Schweiker.

this is most of what lazy U.S. Attorneys do. They also work on matters of federal policy, like civil rights and environmental cases, and on political corruption and white-collar crime. Some of a U.S. Attorney's workload is dictated by the priorities of the President and the attorney general; for instance, in the Nixon Administration drug prosecution was a high priority, and in the Carter Administration it's not. By far the most visible part of the work is the political cases, but Michael Egan of the Justice Department says that's misleading. The U.S. Attorneys who are famous are the ones in older, machine-run cities like Baltimore, Newark, Philadelphia, New York, and Chicago, but their experience, Egan says, isn't typical; mostly the work is less visible, more bread-and-butter.

Still, the political districts are the ones where the political appointment system is most under fire, so it's worth taking a closer look at how the system works there. In Baltimore, Carter and Bell are replacing Jervis Finney, the Republican whose chief assistant, Barnet D. Skolnik, prosecuted Marvin Mandel. Finney says that's okay with him. In Chicago, the administration, at the request of Senator Adlai Stevenson III, replaced Samuel Skinner with Thomas P. Sullivan after apparently rejecting the first choice of the Daley machine, former lieutenant governor Neil F. Hartigan. New York, ever since President Theodore Roosevelt appointed Henry Stimson U.S. Attorney there in 1906, has had an impeccable good-government reputation, and this year Senator Daniel Patrick Moynihan asked that the Republican incumbent, Robert B. Fiske, be kept on. Philadelphia and Newark have both been big deals, one of which the administration handled to its credit and the other not.

The Handwriting on the Wall

In the early seventies, Philadelphia was arguably the most corrupt jurisdiction in the country, and Nixon's U.S. Attorney there, a politically active Republican from the suburbs named Robert Curran, wasn't doing much about it. The Philadelphia papers, by 1975, were printing stories that implied Curran was not a man who would walk that last lonely mile to put crooked pols behind bars. Somebody—the Justice Department, some think—started leaking stories saying Curran was thinking of resigning. This seemed to Curran not to be fair play, but he saw the handwriting on the wall and, in early 1976, stepped down.

While the Curran controversy was raging, aspirants to the job were making it known to Pennsylvania's two Republican senators that they were available. One of them was Senator Richard Schweiker's own chief legislative aide, a 33-year-old lawyer named David W. Marston. Marston had joined Schweiker's staff three years earlier. He was then starting out in private law practice in Philadelphia, but he was a little restless. He had run twice, unsuccessfully, and against long odds, for the state legislature against a member of Mayor Frank Rizzo's city machine, and those races brought him to Schweiker's attention. About a year before the job opened up, Marston had started think-

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ing about being a U.S. Attorney—"it's the best job in the country for a lawyer," he says.

To Schweiker, Marston's request was "a bolt out of the blue," says one person who was close to the situation. "The initial reaction was not very great enthusiasm; we felt it looked like a political appointment. But we quickly said, 'why penalize the guy?' We looked askance for 24, 48 hours and then said, 'it's pretty unfair to rule the guy out.' But certainly the appearance in public was not thrilling." The papers and Philadelphia's extremely vocal reform movement, after all, would scream for blood if a hack were appointed. A "political" appointee would be politically stupid for Schweiker.

'Philadelphia is a Cesspool'

Schweiker finally decided Marston was the best person for the job and sent his name to the Justice Department—but he made it clear, Marston says, that he wasn't going to push it hard: " 'I'm not going to die for you on this,' he told me." After a few weeks, Marston got a call from Harold R. Tyler Jr., the deputy attorney general, asking him to come by for an interview. "He's tough, articulate, respected," Marston says. "I'll never forget it. He started by saying, 'Philadelphia is a cesspool, always has been. The reason is that it's controlled by politicians. How are you going to change that?' I said I would be the first U S. Attorney without political ties. I'd be free to ignore the demands of politicans." Tyler was convinced.

In office, Marston, an eager beaver above all, moved fast. He cleaned out the old clubhouse-approved assistants in the office and replaced them with the brightest young lawyers he could find, people whose politics, he says, are a complete mystery to him. He indicted and convicted Herbert Fineman, the Democratic speaker of the Pennsylvania house. He convicted Theodore Rubino, a state Republican power. He indicted 15 Philadelphia policemen on civil rights charges. He convicted the captain of a Liberian oil tanker that spilled its cargo into the Delaware River. Most recently, he got a 110-count indictment against Henry J. "Buddy" Cianfrani, a powerful Democratic state senator (and the man who bought *Philadelphia Inquirer* reporter Laura Foreman all those expensive gifts while she was covering him). People in Philadelphia wonder if Rizzo himself will be next.

At about the time Marston was maneuvering to get his appointment approved, Jimmy Carter was winning the Pennsylvania primary with no help from Frank Rizzo, who supported Henry Jackson. But by the time the fall campaign came around, Carter and Rizzo had buried the hatchet. Carter won Pennsylvania, a key state for him, largely on the strength of a handsome majority in Philadelphia that Rizzo played a major part in delivering. So when Carter came into office, the patronage situation in Pennsylvania was unclear. Both senators were Republicans. The congressional delegation had both pro- and anti-Rizzo elements. Even if Rizzo and Carter were now friends, the Philadelphia reformers would jump all over the new President if he began to seem too close to the mayor. And David Marston had become a very popular figure.

Carter had barely settled in when a group of Democratic congressmen from the Philadelphia area, close to Rizzo and led by Rep. Joshua Eilberg, began to push him hard to replace Marston with Joseph R. Glancey, the chief judge of Philadelphia's municipal court. By all accounts, Glancey is

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competent and honest and not even that close to Rizzo, but a Marston he clearly wasn't. There was a note of desperation in the speed and urgency of Eilberg's requests, which continued unabated throughout the spring. Even sources unsympathetic to Rizzo say Eilberg was acting partly out of a sincere belief that to the victor belong the spoils, but there was also speculation that Eilberg was afraid he'd be Marston's next scalp.

In any event, because it was so ham-handed, the replace-Marston campaign was its own worst enemy. In February Eilberg sent a letter to Frank Moore, the White House chief of congressional relations, saying all the Philadelphia-area Democrats supported Glancey, which was not true. This so annoyed Reps. Peter Kostmayer and Robert Edgar, both anti-Rizzo Democrats, that they switched from neutrality to an actively anti-Glancey position. On June 17, James Free of Moore's staff gave a luncheon for aides to the Philadelphia congressmen; Eilberg's aides immediately brought up the Glancey issue and, according to one source, "the whole lunch degenerated into a shouting match about patronage." On September 1, Rep. Raymond F. Lederer, an ally of Eilberg's, wrote Michael Egan a pro-Glancey letter that contained this unbelievably inept statement: "For far too long we have seen persecutors rather than prosecutors in the U.S. Attorney's office . . . that has got to end . . . I want to see an end to harrassment by certain United States Attorneys."

The Justice Department got the message. On September 22, Egan announced that Glancey was out of the running. Right now Marston looks safe; besides his popularity, any appointment that's seen as either pro- or anti-Rizzo is likely to alienate a significant portion of the Philadelphia electorate. "A lot of people would like to be U.S. Attorney," says Marston. "A lot of politicians would be happy to see me replaced. But my performance is respected by the Justice Department. If my performance nose-dives, then I'm extremely vulnerable." Marston is one of the few federal employees of whom that's true, because with the concept of merit usually comes the concept of tenure, and any pressure to perform quickly evaporates.

A Democratic Senator

In New Jersey, there was one important difference: one senator, Clifford Case, is a Republican, but the other, Harrison Williams, is an important Democrat. Williams didn't support Carter in the New Jersey primary, and Carter lost New Jersey in November, but nonetheless, as the story shows, his opinion carries weight with the administration.

In 1969, after Nixon was inaugurated, a politically active Republican lawyer from Newark named Frederick Lacey approached Case about a federal judgeship. Case said that would be fine, but first he wanted Lacey to put in a little time as U.S. Attorney, where he would replace David M. Satz, a Williams appointee who hadn't done much about political corruption during his eight-year tenure. Case's father died when he was in his teens, and he was raised by an uncle who was a prosecutor and state senator. After law school, Case clerked for the uncle, who was then trying to investigate corruption in Hudson County. But the courts ruled that he had no right to look into it. He was stymied. Ever since then, Case has had a passion about cleaning up the government. It's been his cause in the Senate for 20 years. With the admiring voters

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"A lot of people would like to be U.S. Attorney," says Marston. "A lot of politicians would be happy to see me replaced. But my performance is respected by the Justice Department. If my performance nose-dives, then I'm extremely vulnerable."

of New Jersey, he's known as an unimpeachable Mr. Clean. So appointing an aggressive U.S. Attorney was very important to him.

In the late sixties, Fred Lacey had come to know two young Justice Department lawyers who were in New Jersey prosecuting the Colonial Pipeline case, a complicated bribery-and-kickbacks affair that involved, among others, the Bechtel Corporation, whose lawyer in New Jersey was Fred Lacey. Lacey's first move as U.S. Attorney was to appoint as his number-one and number-two assistants those two federal prosecutors, Herbert Stern and Jonathan Goldstein. They quickly turned the office into one of the best in the country, and when in 1971 Lacey finally got his judgeship, Case, at his urging, nominated Herb Stern to replace him. In 1974 Case appointed Stern to a federal judgeship, and made Goldstein his replacement. Shortly after the Inauguration this year, Senator Williams made it clear that he wanted Goldstein out.

Williams, whose conduct throughout has been just plain shameful, still won't say why he wanted to get rid of Goldstein. There are obvious bad reasons for it—a man who has spent the last eight years putting Democratic politicians in jail isn't likely to be popular among Democratic politicians. Also, people familiar with the situation say, Williams feels it's his right to appoint a U.S. Attorney now, just as it was Case's right in 1969. And Goldstein isn't a saint. He's arrogant and abrasive. He has zero empathy for politicians. His critics say he's a publicity-hound and a leaker, that he doesn't get along with the FBI, that he and Judges Lacey and Stern constitute a political gang of their own, that he speaks out on legislative matters that are none of his business. "Maniacal," one person called him. A typical Goldstein performance came in late April, when a federal judge let former Newark Mayor Hugh Addonizio out of jail after serving five years of his ten-year sentence. He marched into court and got Addonizio sent right back to jail. This won Goldstein the enmity of Rep. Peter Rodino of Newark, the chairman of the House Judiciary Committee, and Rodino joined Williams in strongly pressuring the Carter Administration on the Goldstein issue. Williams' candidate for the job was Joseph Nolan, a former president of the state bar but not, apparently, an ideal U.S. Attorney. One person who knows Nolan calls him an "unreliable pressure artist," and the Justice Department apparently agreed—it refused to okay Nolan's appointment.

But Justice said yes to the idea of replacing Goldstein if someone equally qualified (this is the general standard of the Carter Administration could be found. Eventually the department chose—from a list Williams had submitted —Robert Del Tufo, the 44-year-old first assistant attorney general of the state.

A Merit Appointee

There's an irony to the Del Tufo appointment, which is that in this most political of U.S. Attorney situations he is a genuine merit appointee—that is, he seems to be the kind of person that the widely advocated

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merit selection process for U.S. Attorneys would produce. He wasn't anywhere near Williams' first choice, and might indeed have been put on the list only to lend it a meritocratic luster. After he wasn't appointed Williams could have said to his critics, "How can you say my list wasn't a merit list when Bob Del Tufo's name was on it?" Del Tufo was appointed because the Justice Department had to come up with top-quality goods in order to replace Goldstein and save any kind of face. He is universally praised (including by Goldstein) as a man of total integrity and dedication, a hard worker, rich in prosecutorial and administrative experience, only vaguely political. In person he is friendly and very cautious, the kind of person who insists on going "way, way off the record" in order to say bland things about merit selection. "He's very good," says one source, "but he doesn't have the same drive as Lacey, Stern, and Goldstein."

Further Toward Caution

The merit appointee is a hard person to judge, since he doesn't exist yet. Del Tufo is probably an example of the best kind of appointee a merit system would produce, and from him the spectrum would likely run even further in the direction of caution. One merit name thrown around in Philadelphia as a possible replacement for Marston is Alan J. Davis, a 40-year-old, impeccably credentialed (Penn, Harvard Law School, Harvard Law Review, a circuit court clerkship) member of a big corporate firm. When I set up, through his secretary, an appointment to see Davis, he quickly called back to cancel it. He explained that he could only say one thing now, and that was something he wanted to make very clear: he had not sought this job—the Justice Department had sounded him out for it, rather than vice versa—and he certainly wasn't interested in campaigning for it.

I suspect the kind of person who's going to go out and get the crooks as a U.S. Attorney is likely to be the kind of person who's going to go out and get the job—the way Marston did, against long odds. A life of accumulating credentials and waiting to be offered positions isn't the best possible incubator of the aggressive talent a U.S. Attorney needs.

Also, political patronage, maligned as it is, is a way of encouraging high-quality people to get involved in local politics. Most people aren't saints. Pure idealism isn't enough to entice them to disrupt their lives in order to help someone get elected. People in their twenties find it easy to make the time to work in a campaign, especially if there's a possibility of a staff job in Washington down the road, but for people in their thirties and forties, with families to support, the incentives are precious few. A U.S. Attorney's job is one of them.

Jobs That Exciting

Back in 1961 John F. Kennedy took a lot of heat for his political removal of Elliott Richardson as the U.S. Attorney in Boston, perhaps well deserved. But it's partly the possibility of being rewarded with jobs that exciting when power changes hands that lures the Richardsons into politics in the first place. And sometimes the U.S. Attorneys who use their jobs most obviously for personal political gain—like Governor James Thompson of Illinois, who got his start as a tough federal prosecutor—are also the best. Goldstein himself came to us indirectly through the courtesy of the reward system. The record shows that political appointees at the federal level have a

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. . . the kind of person who's going to go out and get the crooks as a U.S. Attorney is likely to be the kind of person who's going to go out and get the job.

drive and a sense of adventure that makes them far closer than their brethren in the civil service to the beau ideal of a government employee.

But the best quality of patronage appointees—and the worst shortcoming, because of its absence, in merit appointees—is that there's a check on them, in the form of the electorate. There are few political appointees who feel the disinterest in the voters that it's possible for a meritocrat to feel, few who don't undergo some quickening of the pulse as election day approaches, knowing that their performance is going to be evaluated. The officials in the position to appoint feel the same pressure, which is why there are no brazen crooks in the ranks of U.S. Attorneys. Even the errant senator who wants to appoint an unqualified campaign manager or a hack to a U.S. Attorneyship, as has happened several times this year, runs straight up against the political interests of the Justice Department, which is afraid it would be made to pay for its sins by the voters. And Senators like Case, who takes a strong interest in cleaning up government, are usually well served by that interest on election day. What the Michael Straights of the world call politics is also known in some circles as democracy, and it has several well-known virtues.

As the foregoing stories show, the present way of appointing U.S. Attorneys is an extremely inefficient and error-prone means of institutionalizing the wants of the people, but roughly it does so. Merit selection wouldn't. Patronage provides hustlers like David Marston who know that if they don't deliver they'll be fired post-haste. Merit selection, experience with the civil service shows, provides people who feel no pressure to perform, and who can't be gotten rid of if they don't. Even an exalted group like law school deans and judges is neither a representative nor a disinterested one, and its errors in merit selection would be on the side of kid-glove treatment of the establishment and lack of fresh ideas. In rough analogy, we'd have Foreign Service Officers for United States Attorneys.

Of course, there's one big disadvantage to political appointees. The considerable debts that people like Tommy Roberts accumulate in the process of getting their jobs can later stand in the way of top-flight performance. So it's worthwhile to temper the flaws of political appointees by bringing in a reasonable number of civil servants to work along with them, just as it's worthwhile to temper the civil servants with political appointees. Mixed, the two groups can play to each other's strengths and make for the best possible government.

But a mix isn't what we have in the federal government today. Because filling jobs through non-political means has been presented for so long as a shining, unflawed ideal, practically all government jobs are filled that way. It's time we realized that what's called merit has many drawbacks, and that real merit is by no means absent in politics. The notion that politics and merit are polar opposites is just plain wrong, and running the government according to that notion is a grave error. ■

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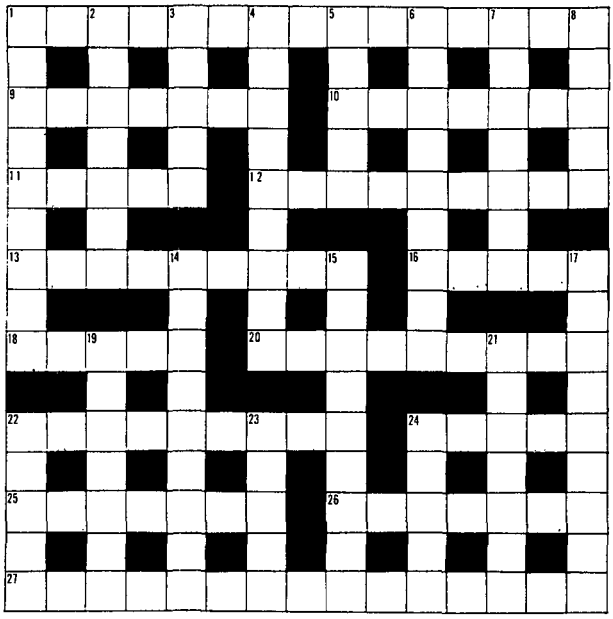
the political puzzle

by John Barclay



Across

1. South African doctrine hid a police party confusion . . . (9,6)
9. . . . and its leader is right in voters assembly. (7)
10. A dish of gold found on high? (7)
11. Water which divides? (5)
12. Display of affection where troubles chant. (9)
13. Accusing it in D.C. gin mixture. (4)
16. Joint around North Lake. (5)
18. Salts composed poems. (5)
20. Gang in red arranged outside pastime. (9)
22. Swings fangs here wildly. (5,4)
24. Comes out neath Green Mountain boy. (5)
25. Pit brat comes out with very little to do. (3,4)
26. Blue rot makes things difficult. (7)
27. Chessmen subject to 1 Across? (6,3,6)

Down

1. Starve and die somehow to make public. (9)
2. A wild stream found in our time there. (7)
3. He taught us specially to rut around. (5)
4. Turbulent African river around facial feature leads to improvement. (9)
5. Roped work for race fixer. (5)
6. Have opals taken over Carter's office feature. (4,5)
7. Bruins or Rangers, for example? (3,4)
8. What Andy and the Turks have in common. (5)
14. Returns from Bok's Mecca. (5,4)
15. Clothed in disarray met danger. (9)
17. Sex in three directions causes something. (9)
19. Star in a star grouping. (7)
21. Where a nun can live? (7)
22. Man of state almost has protective cloth. (5)
23. *I.e.*, art produced for networks. (5)
24. Methuselah's father in green, ochre and red robes. (5)

The numbers indicate the number of letters and words, e.g. (2,3) means a two-letter word followed by a three-letter word. Groups of letters, e.g. USA, are treated as one word. Answers to last month's puzzle are on page 54.

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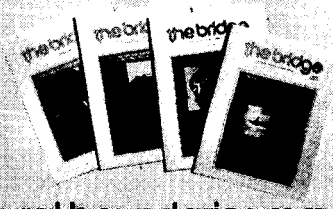

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Why Senator Eagleton Fired Me

by Gregory G. Rushford

By most standards my short career as a staff investigator for Senator Thomas F. Eagleton would have to be rated a success. During the first six months of this year, I probed the Carter administration's mishandling of the sale of radar planes to Iran, which became the focal point of congressional debate on arms sales. I investigated an $800-million Air Force computer scandal and exposed officials' lies. I started an inquiry into inefficiencies in our overseas Food for Peace program. I also helped persuade the Foreign Relations Committee to reconsider the War Powers Resolution, participated in negotiations with the administration on our policies toward Greece, Cyprus, and Turkey, and worked up amendments to the defense bill that will trim military waste.

One day last June Senator Eagleton called me into his office and fired me. It was the rational thing for him to do.

The reasons why it was rational go a long way towards explaining the pressures at work on a young (by Senate standards) legislator who wants to do the right thing and still win the esteem of his peers. They also make it clear why Congress does so little to investigate government wrongdoing.

In January 1977, Thomas Eagleton looked to me like the ideal boss. He was 48 years old and in his second term in the Senate; his seniority and influence were growing, especially because a new Democratic President and Congress were just coming into office. A native of St. Louis, Eagleton graduated from Amherst College and Harvard Law School. At 31 he became Missouri's attorney general and at 39 one of its senators. As chairman of the District of Columbia Committee he pushed home rule through the Senate. He was the chief sponsor of the resolution that stopped the Cambodia bombing in 1973. He led the effort to cut off military aid to Turkey after it invaded Cyprus in 1974. He has taken the knife to the Pentagon's budget. I met him in 1976 in the course of writing an article for this magazine

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about his successful effort to stop one waste of Defense Department money, the Navy's Condor missile.

Establishing Our Turf

In January a member of Eagleton's staff got a job in the State Department and recommended me as a replacement. Eagleton offered me a job, and a few weeks later I accepted. My predecessor had been officially an employee of the District of Columbia Committee (disguising personal staff as committee staff is a common practice in the Senate) and so was I, although early this year the committee was reorganized into a Governmental Efficiency and the District of Columbia Subcommittee of the Governmental Affairs Committee. My job was to examine waste and inefficiency anywhere in the government.

Eagleton and I first set about establishing our turf, which is a tricky business. We had to pick issues that other senators didn't already consider their own. For instance, military issues were out—they would offend Henry Jackson and Sam Nunn, who had already claimed them. And Lawton Chiles chaired a sister subcommittee that was studying military procurement. Even more important, John McClellan had just granted Eagleton membership on his Defense Appropriations Subcommittee, and it would not be good manners for Eagleton to return the favor by using another subcommittee to investigate the military.

So my first idea—to look for evidence of corruption in the Pentagon's $10 billion research and development budget—got nowhere. "I can't look like I'm on a vendetta against the military," Eagleton said. "Get me a cripple. Some horrible wasteful weapon no reasonable person could endorse." Even then, it was better to hold off for a while, for fear of stirring up resentment on the McClellan subcommittee.

Eagleton taught me another lesson, one he had learned on the D.C. Committee. When he started to uncover the District's shoddy bookkeeping some years ago, he said, "it became a morass of work that threatened to tie up my time forever." This time, he wanted "quick and easy examples of waste to expose, so we don't get bogged down."

What Eagleton most wanted me to look into, he knew I couldn't. "I'd really like to have you investigate the Equal Employment Opportunities Commission," he told me. "That whole place is in a shambles. It breaks your heart to see the way people who have been discriminated against are treated. But I can't touch that one because I'd be called anti-black. I had enough of that when I criticized the D.C. government."

And now, of course, Eagleton was no longer in an adversary role with respect to the executive branch. His relations with the White House were (and still are) good. As he admitted to one audience, "I'm now mainly in the role of apologist" for the new team. Investigating the EEOCs of the federal government was primarily the task of the Republicans. It seemed that everything I looked into brought on some unacceptable political problem.

Easy to Dramatize

I first tried to look into the easy-to-dramatize issue of overseas private arms sales. The Foreign Relations Committee, of course, was already in charge of the larger question of the Defense Department's $10 billion in arms sales to foreign governments. Private commercial arms sales, far smaller than the government's sales, are licensed by an obscure State Department munitions control office. By several accounts, that office, understaffed and tucked away in a highrise across the Potomac from the State Department, performs inadequately. The papers have printed stories about widespread illegal international gunrunning; I got a tip myself that the munitions control office has in recent years downplayed the scope

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of its dealings in its reports to Congress. Members of the Foreign Relations Committee staff assured me that they had no time to investigate the office and would welcome a hand from Eagleton.

But Eagleton had to say no to the idea because of the political risks. A furious last-minute campaign by the gun lobby had nearly defeated him in his first Senate race in 1968, and he was afraid of stirring up the same opposition in the 1980 election. It was a stirring tribute to the lasting power of a few weeks of well-organized lobbying.

In April Eagleton agreed to tackle the Food for Peace program as his new subcommittee's first investigation. The program, established in 1954, is the vehicle by which we give and sell at generous terms food to other nations. Because it has several purposes (smoothing out diplomatic relations, helping the world's poor, disposing of surplus products, promoting farm exports), and because it is administered by two different agencies (the Agency for International Development and the Agriculture Department), it seemed like a logical candidate for an efficiency study.

I carefully laid the groundwork for my investigation by checking first with Senator Humphrey's staff to see if they had any objections. Eagleton himself made courtesy calls to Humphrey and Abraham Ribicoff. All this was necessary because Humphrey is known as "Mr. Food for Peace" and his feelings were important, while Ribicoff is chairman of the full Governmental Affairs Committee, under which our investigation was taking place. After these elaborate hedges against senatorial ill-will, Eagleton told me to get to work.

Rotting on the Docks

The first thing I found was that Food for Peace food was rotting on docks and in granaries in Bangladesh. In September 1976, a subcommittee that Humphrey chaired reported that in the first nine months of that year, more than half of the $50 million worth of wheat, rice, and soybean oil Food for Peace sent Bangladesh would be "lost to insects, rodents, and mold" in inadequate storage facilities. The report said U.S. officials "knew or should have known that a substantial amount of food would spoil." The culprit was apparently the Agriculture Department, which, amid much haggling, had pushed AID to export too much food, especially rice. And why was that? My sources told me a delegation of congressmen had visited the White House early in 1976 to push hard for increased rice exports, and the White House had pushed Agriculture. The representatives from Arkansas and Louisiana, both rice-producing states, had lobbied with particular ardor.

Arkansas, of course, is the home state of John McClellan, a very special senator to Eagleton. One of my first instructions had been never to displease McClellan. In the Defense subcommittee, when Senator Proxmire urged the opening of unclassified hearings to the public, Eagleton supported McClellan's successful efforts to keep them closed. "You don't oppose the Chairman on little things," he told me. The situation was especially sensitive because just before I was hired, Eagleton had gotten into McClellan's doghouse by opposing the transfer of a Missouri military facility to Arkansas without the courtesy of advance consultation.

But if my first set of findings was ill-advised, my second big lead could have earned me the political rube of the year award.

I discovered that the most inefficient part of the Food for Peace bureaucracy was the innocuous-sounding Office of the General Sales Manager. The general sales manager apparently duplicates the work of other officials, bollixes up the administration of our food export policies, and acts as a thorn in the side of another Agriculture Department subsidiary, the Foreign Agricultural Serv-

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ice. Its annual budget is $3 million. The office seemed to be a God-given target for a set of hard-hitting hearings.

Unfortunately, that was not the case. The Office of the General Sales Manager had been created in 1955, over the objections of Agriculture Secretary Ezra Taft Benson, by Rep. Jamie Whitten of Mississippi, the chairman of the House Agriculture Appropriations Subcommittee. Whitten, a shrewd and tough operator who has been in Congress since 1941, has been engaged for years in a battle with the Foreign Agriculture Service. He sees the Office of the General Sales Manager as his chief within-the-department weapon in that fight. In a recent report, Whitten complained that the Agriculture Department often leaves the position of general sales manager vacant, and that even when it is filled, it is "dominated by the Foreign Agriculture Service and its policies concerning sales in world markets."

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So my investigation of Food for Peace had provided Eagleton with an opportunity to attack not only the chairman of the Senate Appropriations Committee, but also a Congressman who could destroy him in the House-Senate agriculture bill conference. Missouri grain interests would not have been pleased if in the name of reforming the bureaucracy Tom Eagleton had made Jamie Whitten hostile to them. Indeed, try as I might I could find no problems in Food for Peace that were truly its own fault rather than the fault of Eagleton's esteemed colleagues in Congress.

Blind Ambition

In late May I had a where-are-we-going talk with Eagleton. I said foreign agriculture is an important issue (our farm exports of $23 billion are of increasing diplomatic and economic magnitude) but one that would take several years' work to probe fully. I told him my situation reminded me of John Dean's, as Dean described it in *Blind Ambition*, a book both of us had read with total absorption. Like Dean, I had the sense that I was working for a boss who had no clear idea of what he wanted me to be doing, and like Dean I felt pressured to create work for myself as a way of making myself indispensable. Whether I went ahead on agricultural exports or not, I told Eagleton, "I want it to be your decision because you are interested in it, and not because it's something a John Dean has dreamed up. And we can find discreet ways to run the political minefield, or at least try our best." The Senator said he would puzzle the dilemma through.

A few weeks later, in mid-June, Eagleton called me into his office and said, "Greg, I think we must sever our relationship." It wasn't anything personal, he said, and he would recommend me to anyone as a good investigator. He just wasn't comfortable with me. As Eagleton's administrative assistant told me shortly after-

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wards, "I guess you're too much the investigative type." He was right.

Eagleton and I continued to have a pleasant working relationship over the next few months; he kindly offered to let me stay on his staff while I looked for another job. We even accomplished a few things. But there was constantly the specter of grave political liabilities if we pushed too hard.

The Art of Politics

The lesson of my story is that the art of politics is not compatible with the art of investigation. In the legislative process the best players are moderates, people with principles but not rigid ideology who know how to horsetrade, compromise, and temper disagreements. Eagleton is good at this, and I saw him accomplish several noteworthy things through its use. But to be effective an investigator has to follow the path wherever it leads—to Democrat or Republican, friend or foe.

Most government investigators learn to temper their zeal with political savvy, usually to the detriment of their investigative work. For instance, Henry Peterson of the Justice Department's criminal division got the message during the initial Watergate investigation that he was not to ask the White House tough questions, and he complied. My test of political loyalty came early in my association with Eagleton, and I failed: I didn't deliver on a request to find illegal campaign contributions to Charles Percy for a friend of Eagleton's who wants to run against Percy in 1978.

But I don't mean to sound self-righteous. Arguably, it might be possible to achieve a greater public good by not running completely frank investigations. By not pushing McClellan and Whitten, Eagleton staved off a possible loss for himself, and for his constituents, in the Appropriations Committee.

A better example comes from my experience a couple of years ago as an investigator for Rep. Otis Pike's House Intelligence Committee. Pike ran a no-holds-barred investigation. When he learned that Senator Henry Jackson had helped the CIA stave off an investigation of the ITT-Chile affair, Pike was willing to publish the information. In light of Jackson's national political power, that took great courage for Pike as it took great courage for Rep. Robert Giaimo to go along with Pike's decision even though Giaimo was chairman of Jackson's presidential campaign in Connecticut.

Senator Frank Church, who ran the Senate's intelligence investigation, had access to the same information on Jackson and, as he did on nearly every other sensitive political matter, he covered it up.

Here's the price of honesty: Pike was damaged politically for what he did. The House refused to establish a successor Intelligence Committee when the Pike committee's jurisdiction lapsed. Three members of the Pike committee who ran for the Senate lost. But Frank Church, who showed he could play along, went on to run a creditable presidential campaign. And the Senate established a follow-up Intelligence Committee, weaker than might have been hoped for but nevertheless alive.

It's a tough problem. People elect congressmen to perform both the legislative and investigative functions, but in practice those functions work at cross-purposes. Eagleton wasn't reluctant to investigate because he's an evil man—he's a good senator trying to pass good bills, and he saw investigating as standing in the way of that.

For most of American history, the cross-purposes problem has been present, but it hasn't had major bad effects. The federal government was small enough so that making sure it delivered the goods honestly and efficiently wasn't itself an issue of the utmost importance. But in the last 30 years that has changed, and it's no longer enough to stand by and cluck about the Senate's reluctance to investigate. We have to find an answer. ■

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Roxie Munro

Where to Eat in Washington

by Jill Merrill

CAPITOL HILL

Club II, 210 D Street N.E., 544-0102. Open Monday-Friday, 11 a.m. - 11 p.m.; closed weekends. The Italianate decor is rather unfortunate, but the **Club II** serves reasonably good food at moderate prices. The homemade soups and specialities and the Greek salad are particularly good. The people who make Uncle Sammy run are out in force here, and the intangible air of self-importance is amusing—once.

Congressional Cafeterias. There are two cafeterias on the House side and two on the Senate side, all four open Monday-Friday when Congress is in session. All are open only to staff and guests at peak lunch times (roughly noon to 1:30, though it varies some) and to the general public from (again, roughly) 8 a.m. to noon and 1:30 to 3:00. Rating them is a little like choosing between long and short knives to kill oneself, but the Senate cafeterias are a bit more cheerful and conducive to digestion. The worst of the lot is the Longworth Building cafeteria on the House side, which used to be a garage; very little has changed since that incarnation.

Deli-Phone, 515 2nd St. N.E., 547-4774. No credit cards or reservations. Monday-Friday, 10 a.m. - 9 p.m.; Saturday, noon - 7 p.m.; closed Sunday. This is a new deli-cafe on the Senate side of the Hill that can seat up to 80 people when it's nice enough for the outdoor tables. You'll get a good, light meal here. At lunchtime on weekdays there's a soup/salad/sandwich buffet that's a bargain at $2.95.

Dubliner Restaurant and Pub, 4 F St. N.W., 737-3773. Open seven days, 7 a.m. - 2 a.m. Though it's not at a Joycean level of grubbiness, the **Dubliner** does have a noisy charm. The food is mercifully American (Irish cuisine is a contradiction in terms) and moderately priced. Many congressional aides like the **Dubliner**, so if you don't like crowds, avoid lunch and happy hour.

Gandy Dancer, 200 E St. N.E., 546-3377. Sunday-Thursday, 11:30 a.m. - midnight; Friday and Saturday, 11:30 - 3 a.m. A gandy dancer is an old-time railroad worker; this restaurant is so called because it's near Union Station. It's cheerful and airy, with a dining room downstairs and a bar, tables, and comfortable sofas upstairs. The food is healthy, attractively prepared, and moderate in price. A popular singles place.

Hawk and Dove, 329 Pennsylvania Ave. S.E., 543-3300. Monday-Thursday, 10 a.m. - 2 a.m.; Friday until 3 a.m.; Saturday, lunch only; closed Sunday. Although this restaurant is attractive, it's so crowded and noisy at lunch it should be called Crow and Raven. The service is terrible, but the soups are good, and the atmosphere improves markedly in the evening.

Hyatt Regency, 400 New Jersey Ave. N.W., 737-1234. There are three restaurants in this hotel. **Jonah's Oyster Kitchen** serves lunch 11:30 a.m. - 2:30 p.m. and dinner 5:30 p.m. - 10 p.m. seven days a week. It's expensive, but this is a good town for seafood, and it's prepared appealingly here. **Hugo's** serves dinner only, 6 p.m. - 10:30 p.m. weekdays, and until 11 p.m. on weekends. It's on the roof of the hotel—an impressive setting—and the food, like the Hyatt itself, is expensive and more pleasing to the eye than the soul. **Park Promenade** offers three meals seven days a week, and is convenient, but not much else. The best deal at the Hyatt is the Sunday buffet brunch, served in the lobby from 11 a.m. to 3 p.m. For $7.95 you get all the champagne, eggs, meat, and seafood you can eat.

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Jenkins Hill, 223 Pennsylvania Ave. S.E., 544-6600. Monday-Thursday, 10:30 a.m. - 2 a.m.; Friday and Saturday, 11:30 a.m. - 3 a.m.; Sunday, 10:30 a.m. - 2 a.m. This is a singles bar first and a restaurant second. Downstairs is a bar and dance floor; upstairs is **Yolanda's**, named after the Italian cook there. Yolanda cooks only at dinner, when she produces sublime pastas. Otherwise, it's just good American pub food at moderate prices.

La Ruche, 239 Massachusetts Ave. N.E., 546-9154. No reservations. Monday-Saturday, 11:30 a.m. - midnight; closed Sunday. Like its twin in Georgetown, this charming French cafe offers pleasant, airy surroundings and excellent food. The seafood quiche and the pastries are especially good. The service is attentive, and the prices moderate. One drawback: the tables are napkin-sized.

Machiavelli's, 613 Pennsylvania Ave. S.E., 543-1930. Tuesday-Thursday and Sunday, 5 p.m. - 11 p.m.; Friday and Saturday, 5 p.m. - midnight; closed Monday. Here you'll find good, moderately priced Southern Italian cooking in a decor right out of a Jean Harlow movie. It's very popular, but the herding is efficient so the service doesn't suffer. There's a jukebox full of old tunes, and a cheerfully decadent atmosphere prevails.

Mike Palm's, 231 Pennsylvania Ave. S.E., 543-8337. No reservations. Monday-Saturday, 11 a.m. - 2 a.m.; Sunday, 11 a.m. - 1 a.m. This used to be a cranky, unpretentious restaurant with no-nonsense waitresses and menu. It's been transformed into yet another California-style place, full of redwood and plants. I miss the old grubbiness, but it's still good food at good prices, with good people-watching too.

Monocle, 107 D St. N.E., 546-4488. Reservations recommended at lunch. Monday-Friday, 11:30 a.m. - 1 a.m.; closed for lunch Saturday and all day Sunday. As the timetable suggests, this is a place for working meals. The genial, back-slapping atmosphere is annoying, but the food isn't bad. Expensive.

The Refectory, Capitol Building (ground floor, North Wing, Senate side), 224-4870. This is by far the best government-operated restaurant on Capitol Hill. It consists of a series of small rooms with vaulted ceilings and tile floors, and it's open to the public. The specialties of the house are Senate bean soup (45 cents) and hot Southern pecan pie (75 cents). The restaurant is open from 10 a.m. until whenever the senators leave the floor for the day; when Congress isn't in session, it's open 8 a.m. - 4 p.m.

Rotunda, 30 Ivy St. S.E., 546-2255. Reservations recommended at lunch. Monday-Friday, 11:30 a.m. - 1 a.m.; closed weekends. Here's another place strictly for the expense-account crowd: it's expensive, with unctuous service and mediocre food and the slightly sinister atmosphere of a legislative bookie joint.

Toscanini's, 313 Pennsylvania Ave. S.E., 544-2338. Open 11 a.m. - midnight, seven days a week. The pizza is excellent here, but everything else is fairly expensive and not very subtle. It's justifiably uncrowded, but that means good service.

Tune-In, 331½ Pennsylvania Ave. S.E., 543-2725. No credit cards or reservations. Open every day, 8 a.m. - 2 a.m. This is a marvelous place where the secret rednecks on the Hill (and they are legion) hang out. The wall-hangings alone make this place a must (there's kitsch of every description), but it also happens, rather incidentally, I think, that the food is quite good. The crab cakes and butterfly shrimp, in particular, as well as the cheap beer, rescue the **Tune-In** *from being the dive it longs to be.*

If you're into small hotels - you ought to get into the Tabard Inn, Washington, D.C.

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FEDERAL REGULATION

Too Little: The Consumer Product Safety Commission and Asbestos

by Howie Kurtz

Last winter, in living rooms across the country, more than a million people warmed themselves in front of fires fed by artificial fireplace logs. Most of them did not realize that these artificial logs and ashes were emanating small particles of asbestos that floated slowly through the air and into their lungs, where the deadly fibers became permanently embedded.

When asbestos fibers are absorbed into the lungs, they cause a fatal disease that scientists first diagnosed in the late 1920s. They found that many asbestos workers were dying from a disease they called asbestosis. Tiny asbestos fibers accumulated in their lungs and were soon covered by scar tissue that made breathing increasingly difficult. The scar tissue would thicken, even after the workers were no longer being exposed to asbestos, and the strain on their pulmonary systems became so great that they often died of heart failure before their lungs could give out.

The growing asbestos industry, however, chose not to heed the alarming studies that were published in this country beginning in 1930. By 1935, asbestos was found to cause lung cancer, and later it was linked to cancer of the stomach, intestine, and rectum. Asbestos was also found to cause mesothelioma, a particularly painful form of cancer that eats away at the lining of the lung or abdominal cavity and generally kills its victims within one year after its first symptoms appear. Because the asbestos manufacturers deliberately ignored the mounting evidence, at least 400,000 workers—or four out of ten in the industry—are now expected to die from asbestos diseases. It was not until the early 1970s that strict limits on the amount of asbestos to which workers could be exposed were imposed on the industry by federal law.

And today, millions of American consumers are unwittingly being exposed to this same deadly asbestos. Those artificial fireplace logs and ashes are just one of the more than 3,000 consumer products that, although most of the public doesn't know it, contain asbestos.

Such hidden dangers in the marketplace are the reason that Congress decided five years ago to create the

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Consumer Product Safety Commission. But the commission, which is supposed to ban products that injure or kill people, has not acted against this hazard with any greater sense of urgency than federal officials displayed when workplace hazards were exposed in the 1930s.

The commission has been such an abysmal failure that it is at least as responsible as any other government agency for the plummeting popularity of consumer protection. It's no secret that people have become increasingly fed up with meddlesome government bureaucrats issuing annoying minor regulations on such matters as interlocking seat belts and child-proof aspirin bottles. But even the consumer protection movement's most ardent critics would have to concede that the government has a basic responsibility to stop companies from foisting dangerous products on an unsuspecting public. Asbestos, after all, is no borderline case about which reasonable people can disagree, and the most conscientious citizen has little way of knowing of the hidden ingredient in artifical fireplace logs and ashes.

Instead of cracking down on dangers like asbestos, however, the CPSC has been so ineffective that even its most enthusiastic supporters have become disillusioned. Since its inception it has issued safety standards for only one product, swimming pool slides, and even that took two years. The commission is so stricken with bureaucratic paralysis that it has not acted on a backlog of over 150 questionable products.

The CPSC was first asked to ban artificial fireplace logs and ashes that contain free-floating asbestos in November 1975, in a petition from environmental writer Rachel Scott. In July 1976, the Natural Resources Defense Council, an environmental group, asked the commission to ban asbestos patching compounds, which are widely used to repair crumbling ceilings, walls, and floors. "Even very brief exposure to asbestos fibers such as those experienced by consumers of patching compounds have been shown to substantially increase the risk of cancer," the group warned.

The commission's own scientists readily agreed. The following month, Robert Hehir, director of CPSC's Bureau of Biomedical Science, warned in a memo: "Data demonstrating the adverse effects of asbestos in humans, as well as in experimental animal studies, is clear and irrefutable . . . . Exposure to consumer products containing [free-floating asbestos] poses an unnecessary, unreasonable and completely avoidable potential risk to consumers that cannot be adequately controlled by warning labeling."

Despite this unequivocal warning, the commission did absolutely nothing for another year. One possible reason for the delay is suggested in another internal memo: "The longer it takes to promulgate a ban and/or repurchase [of asbestos], the smaller the economic effect on the industry will be." Most of the commissioners are Republicans appointed during the Nixon-Ford years, and they often appear concerned more about the impact of their actions on corporate profits than their effect on public health. Several of them have voted to ban products only reluctantly and under the greatest public pressure.

"They laughed at our first petition," recalls Barry Castleman, the National Resources Defense Council lawyer who wrote it. "It made the case for them, but they spent a year quibbling with us. They had no sense of the consequences." One CPSC staff member agrees: "We dragged our feet interminably. The staff still hasn't looked at many products that contain asbestos. Nobody told us it was a high priority."

Finally, the commission voted last April to ban patching compounds and fireplace logs and ashes that contain asbestos. But although two million people a year are being exposed to these products, the CPSC didn't order an immediate halt to sales and a recall of existing inventories. Instead, it is

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allowing sales to continue while it draws up regulations banning future use. This has been dragging on for months and may not be completed for months more. "What this means," complains Castleman, "is that stores can have special sales on asbestos patching compounds, and a few more people will get cancer."

The CPSC's voluble chairman, S. John Byington, concedes that his agency wasn't as aggressive as it might have been. "Oh sure, we could have moved faster," he says. But Byington claims he never received the scientific memo that detailed the risks of asbestos. "What happened after it was written, God only knows," he says. "We never saw that memo." Nevertheless, it has been known since a landmark study in 1964 by Dr. Irving Selikoff of New York's Mt. Sinai School of Medicine, the country's leading asbestos researcher, showed that people can get lung disease from brief exposure to free-floating asbestos fibers that break free from finished products.

'Cosmetic Changes'

Byington, a handsome young Republican from Grand Rapids, Michigan, who was appointed last year by President Ford, believes the commission's shortcomings can be corrected through better management techniques. He insists that he will cope more effectively with CPSC's massive backlog of health and safety hazards now that he has reorganized the agency's structure. To the second highest paid agency staff in Washington—about 200 of its 900 employees earn over $28,000—he has added five "supergrade" managers, who report directly to him. But one CPSC member, R. David Pittle, told Byington in a private memo: "Except for a few cosmetic changes, you have not really reorganized the agency at all. You have simply added a layer of unneeded supergrade Associate Executive Directors over the technical bureaus."

While Byington has been fiddling with organizational charts, his commission has done very little research on other dangerous asbestos products. For example, asbestos remains a hidden ingredient in such innocuous products as children's modeling clay and papier-mache. Dr. Selikoff discovered last year that thousands of pounds of modeling clay ordered by New York schools contained as much as 50 per cent asbestos. Asbestos is not a necessary component of these products, but manufacturers prefer it because it is much cheaper than its substitutes.

Hundreds of thousands of tons of asbestos also are used in textured paints, cement powders, brake linings, stove panels, wallboards, and floor tiles. Manufacturers are now rushing to obtain patents for dozens of new uses for asbestos, apparently secure in the knowledge that the CPSC is unlikely to act against them soon.

Byington, meanwhile, has been far more energetic in pursuing his own career than dangerous products. The talkative chairman, who is said to have political aspirations in Michigan, flew at taxpayer expense to Hong Kong, Taiwan, Tokyo, Brussels, Geneva, Bonn, Hamburg, Puerto Rico, and the Virgin Islands during his first ten months in office. Byington's avowed mission—explaining U.S. safety standards to foreign officials—could have been accomplished just as well by long-distance phone calls. But as one CPSC official puts it, "John likes the spotlight, the travel, the glorification."

Another example of Byington's passion for public relations over product safety is the $425,000 he paid an Atlanta advertising firm last year to promote the commission's work—a strategy that, naturally, entailed more traveling and speeches for its chairman. He also spent $45,000 to make television commercials featuring a character named "Safety Sadie," who offers friendly tips on matters like fireworks and bicycles. Then he decided he didn't like the actress who played Sadie, threw the commercials

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in the trash can, and led the search for a new Sadie, eventually settling on the wife of comedian Dom DeLuise.

'Meaningless Mush'

Such incidents have demoralized many of the commission's workers; one survey shows that 43 per cent of them don't think their agency is doing a good job. They were further aggravated by Byington's expenditure of $500,000 on product profiles that turned out to be worthless. An angry letter from CPSC employees to Senator Wendell Ford, one of Byington's harshest critics, explained: "At the direction of management the profiles were re-written numerous times ... each time with additional facts and figures incorporated. Finally, senior staffers took the profiles and manipulated them into meaningless mush so that they would be innocuous enough to release under Freedom of Information."

To put it bluntly, the CPSC has failed to reduce deaths and injuries to consumers because Byington and his colleagues have not been aggressive enough in banning the products that cause them. Part of the reason for this is that the commission sees manufacturers, rather than their customers, as its most important constituency. The economic impact on business, Byington admitted, was a factor in his decision not to push for an immediate recall of asbestos products.

The manufacturers of these products have known for years that asbestos can hurt people, just as they knew 50 years ago that they were destroying the lungs of their workers. In the pursuit of profit, the companies have been willing not only to peddle harmful products, but to create a market for them through aggressive and sometimes misleading advertising that glosses over their dangers and defects. They took a calculated risk that the hapless bureaucrats in Washington would not take their products off the market in the near future. So far, that risk has paid off. ■

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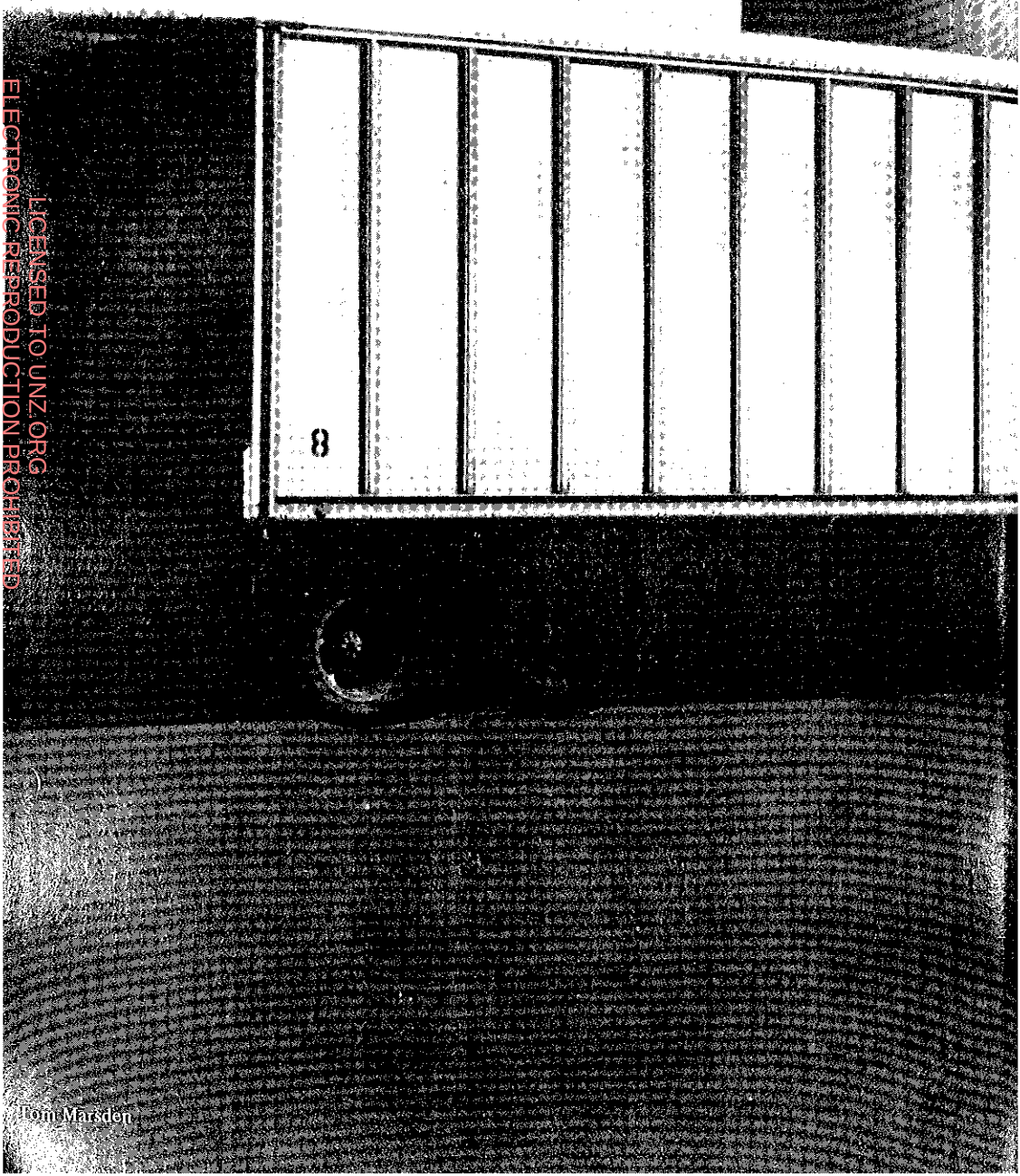
FEDERAL REGULATION

Too Much: The ICC and t



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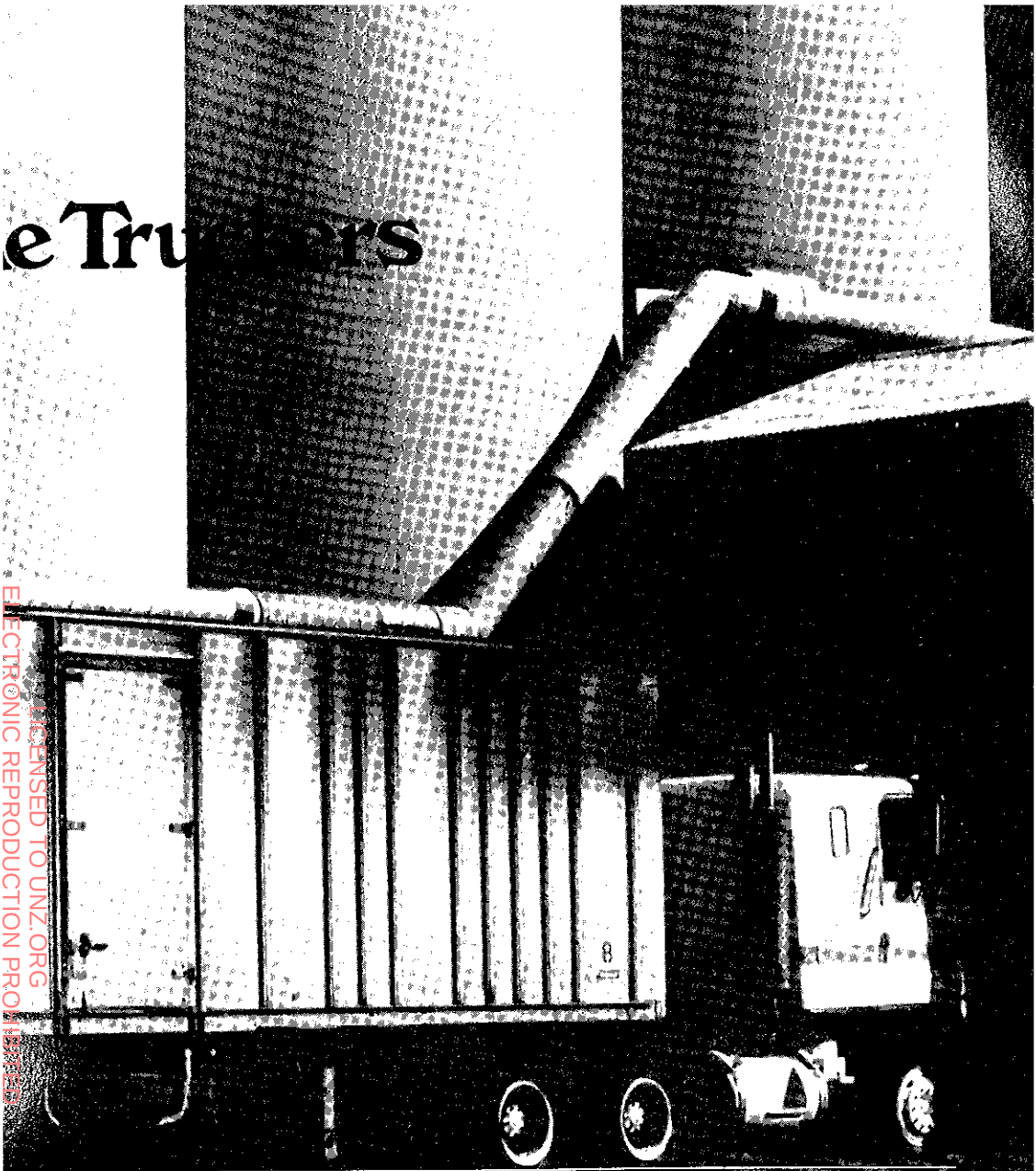

by Stephen Chapman

In all the agencies of government in Washington, there is probably no worse example of federal regulation than the Interstate Commerce Commission. Over the course of its 90-year existence, the commission has compiled an almost spotless record of guarding and promoting the interests of the dominant companies and unions in its jurisdiction. Created in 1887 to regulate the nation's rail traffic, it later was given authority over waterways, pipelines, and highways as well, making it one of the most powerful agencies in the federal government. It has held rates above their normal levels, inflated the costs of doing business, contrived to shut out newcomers, encouraged inefficiency, and made a thorough mess of surface transportation in the U.S. No agency ever called out louder for abolition that the ICC.

Stephen Chapman is a Washington writer.

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The commission's beginning, despite its fervent support from anti-business progressive circles, was really a victory for the railroads. The establishment of a regulatory agency had strong support among railroad executives, who were frazzled by frenetic competition and disillusioned by the failure of price-fixing and cartelization agreements. The commission was given broad authority to enforce "reasonable and just" rates, and stocked by President Cleveland with an undistinguished group of men who had strong ties to the railroad industry.

For all intents and purposes, the industry became a government-protected cartel. Subsequent court rulings, however, badly undermined the ICC's authority, forcing Congress to shore it up again by passing new laws against rebates, discriminatory pricing, and rate-cutting. Chief among them was the Transportation Act of 1920, which supplemented the agency's power by giving it absolute control over all rates and entry measures intended to ensure a sufficient profit to rail companies.

A Short-Sighted Solution

But government protection of the railroads soon proved a short-sighted solution. The 1920s brought the rise of a new, unregulated competitor, the trucking industry. The way to control this unwanted competition was clear: bring trucks under the ICC's protective umbrella too. Beset by intense lobbying by the ICC and the railroads, dismayed by record financial losses in the rail industry, Congress in 1935 widened the commission's scope to include commercial motor carriers, hitherto left to the states. With only a few changes and additions—most notably the Reed-Bulwinkle Act of 1948, which exempted carriers under ICC regulation from federal antitrust laws—the 1935 act is still the basis of the federal government's regulation of surface transportation.

Since then, of course, the railroads have become the victims of their own short-sightedness and indirect government assistance of the trucking industry, and the ICC is now the instrument of truckers, not rail barons. In the early years of trucking regulation, the rail companies underestimated the competitive threat of trucks, says Jim Ritch, a lobbyist for deregulation. "In the 1930s, the railroads wanted a floor on rates, to prevent trucks from undercutting them. They didn't appreciate what was happening to them until long after the war." State construction of highways, to handle the millions of cars Americans bought during the post-war boom, made trucking easier, quicker, and more efficient. The crippling blow to the railroads was the construction of the interstate highway system, which permitted truckers to compete seriously with the railroads in long-distance freight carriage. Delivery times fell, and the door-to-door service trucks offered persuaded many shippers to switch from rail to trucks. "With this you also began to see a resettlement of industry away from rail sites and out into the suburbs and rural areas, which were serviceable by trucks," Ritch says. "The railroads were also hurt by the industrialization of the South, which had few railroads to begin with and had to rely on trucks for most shipping." By the time the rail companies realized they were being destroyed by the very regulations they had promoted for their own protection, it was too late to do anything, for with the loss of rails' dominant position came the loss of their influence in Congress and with the ICC.

Absolute Control

Perhaps the ICC's most important power today is its absolute control over entry into the trucking business (no one wants to enter the rail industry anymore). In order to be admitted as a "common carrier"—essentially a commercial trucker—an applicant must obtain a certificate of "public

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convenience and necessity," generally granted only when the newcomer can demonstrate that existing firms can not provide the service specified. If established carriers can show they have the capacity to handle the traffic, the application is normally rejected, regardless of whether or not the applicant might provide a cheaper or more efficient service. The burden of proof is on the applicant, and it is often an impossible one.

More Important Than Trucks

The difficulty of obtaining new certificates is suggested by their value on the market (the certificates, once obtained, can be sold to other firms without further ICC approval). When one company, Associated Transport Inc., went bankrupt, it sold its operating rights for more than $20 million. The American Trucking Association says operating rights quadrupled in price between 1962 and 1972 and admits that they are a trucker's "single most important asset"—more important, one gathers, than trucks. Allan Mendelsohn, a lawyer for the Colorado Meat Dealers Association, says many meat-hauling trucklines "have gotten rid of their employees and have likewise gotten rid of their tractors and refrigerated trailers," preferring simply to rent their operating rights to independent truckers. The independent trucker does the work, but the firm with the operating rights gets a sizable cut of the take—generally 25 per cent, but sometimes as much as 50. Mike Parkhurst, editor of *Overdrive*, a magazine aimed at independent truckers, calls this practice "sharecropping," and the analogy is far from unreasonable.

Trucking licenses work similarly to another government outrage, the Federal Communications Commission's operating licenses to radio and television stations. These licenses are enormously valuable—having one is commonly compared to having a license to print money. *The Washington Post* recently sold its radio station in Washington for the staggering sum of $6 million. FCC licenses don't get much attention in the press, although most large publishing operations own and profit from them. If the granting of FCC and ICC operating certificates is deemed a public matter, why should their exchange be an extremely lucrative private one?

Defenders of the status quo, such as the American Trucking Association, scoff at the notion that certificates are hard to get, noting that upwards of 80 per cent of applications are approved by the ICC But Stan Sender, a lobbyist for Sears Roebuck, says that figure means little: "Only about 30 carriers a year are given general commodity, unrestricted rights. Most are only short extensions of authority for existing carriers. And that 80 per cent figure doesn't tell you that it takes the ICC 14 months to handle an average case." Jack Pearce, a lawyer whose clients include several black truckers, mentions one client in Dallas who is applying for a certificate to provide household moving service in 40 states: "He's spent a year trying to get the money together just to apply, and it will probably take another three to six months before he has enough. Then it will probably take him another year or two to get the authority, and he'll probably get it, because he's black and there are only a few black movers with ICC authority. If he were my brother or cousin he'd have to pay $20,000 to $50,000 for the legal work involved in getting through the ICC and it would take two to four years, and he probably still wouldn't get it. He might be allowed to operate from Texas to Oklahoma. And all that money—well, that's not even talking about putting the trucks on the road."

In Self-Interested Hands

Equally important is the ICC's authority over rates. This it usually places in the self-interested hands of regional rate bureaus made up of representatives of companies in each mode of surface transportation. These

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bureaus set rates on all services, and while each firm is supposedly free to deviate from the established rate, few have much choice but to go along, since undercutting the fixed rate is expensive, time-consuming, and usually futile. If any company cuts its price below the standard, the local rate bureau or another company can—and usually does—challenge its right to do so. The classic case is the time a frustrated company filed a rate to carry yak fat, an imaginary product, from Omaha to Chicago. Though no one had ever heard of yak fat, much less carried it, no fewer than 13 carriers protested the rate.

The Picture Is Illusory

The ICC places numerous non-price restrictions on each operating certificate too, specifying what commodities can be carried, which points served, and so on. The American Trucking Association points to the 15,000 different firms engaged in trucking as evidence of competition, but that picture is illusory. The operating restrictions work to prevent direct competition among different companies. A shipper may have little choice in which firm to hire to ship a particular commodity, since companies do not receive rights to carry all goods, but only a few specific ones. Moreover, the specific authority is often even more specific than it seems to be. A firm with the right to transport "fruit and vegetable juices," for instance, cannot carry frozen juices. A company granted the authority to carry "machinery" will find that designation doesn't include carburetors, generators, distributors, and electrical motors. Some trucks are allowed to carry exposed film but not unexposed, and companies authorized to carry lead pipe are prohibited from handling plastic pipe.

To guard further against firms competing for the same traffic, the ICC imposes restrictions on which highways each company may use. These rules often force trucks to take long, roundabout routes that waste time and money. One Dallas firm has to send its trucks to California by way of Kansas, which adds an extra 12 hours to the trip. Another company in Duluth, Minnesota is required to run its carriers to Chicago through Clinton, Iowa, a route 120 miles out of the way. The only possible justification for this kind of route regulation is the one the Civil Aeronautics Board uses—that it's the only way to assure the continuation of what would otherwise be unproductive service for small cities. The American Trucking Association argues that in a free market the Springfields and the Fresnos would lose their trucking service, but in fact these towns are already perfectly well served by unregulated carriers, who wouldn't be affected by deregulation.

These rules promote further waste by guaranteeing that trucks will run empty or only partly loaded much of the time, since a truck carrying one category of goods to a given city may not be able to find anything to carry on the way back. One study suggested that half of all trucking capacity is unused. The ICC also has rules prohibiting some carriers from carrying anything at all on return trips.

A Whorehouse In Boston

This sort of cost inflation doesn't reduce profits by much, though. Certified truckers traditionally have had a high return on investment, because of the protected environment in which they operate. In 1977 the average return on equity for carriers under ICC control was better than 16 per cent, with many firms reporting returns of 30 to 40 per cent. One lobbyist tells the story of the late Paul Cherington, then an Assistant Secretary at the Transportation Department, meeting with a group of certified carriers, who complained that deregulation would diminish the value of their operating rights. Unsympathetic, Cherington retorted, "You people are making a 40 per cent return on equity! A whorehouse in Boston doesn't make that!"

How does the trucking industry get away with it? There are two crucial reasons for its domination of the ICC,

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one related to necessity, the other to the commission's self-interest. The rate-setting bureaus, though perhaps the most flagrantly objectionable feature of the truck and rail regulation, are indispensable as long as the federal government chooses to fix prices. There is simply no way the ICC could ever come up with a fair, reasonable rate on each of the thousands upon thousands of commodities shipped between hundreds of different points on hundreds of different routes. Plainly the commission, with its relatively small budget and staff, could not even begin to try, so it has no choice but to turn the decisions over to the firms who ship the goods. The best the commission can do is to use its authority in a few instances to prevent especially blatant abuses by the rate bureaus.

In any case, the ICC would profit little by vigorously promoting competition. What would happen in a competitive environment? Rates would fall, surely, but some companies would find themselves outmatched by more efficient rivals, forcing them to go out of business, dismiss workers, close offices—all those things that usually provoke editorial outcries and congressional investigations. Competition is often bloody, leaving the corpses of inefficient firms strewn in its path, so the ICC runs the other way at first mention of it. As long as it restricts competition to ensure the prosperity of the bulk of the firms in its jurisdiction, the ICC can count on being ignored most of the time. A neat and tidy cartel, from the point of view of the regulators, is clearly preferable to the messy, unpredictable "chaos of the marketplace.

Shippers and consumers are not the ICC's only victims; ironically, railroads also suffer. After pressing for ICC regulation of trucking to protect themselves from competition, the railroads have found that the sword cuts the other way too, giving trucking companies a tool for suppressing their rivals in the rail industry. The railroads have declined steadily since the 1930s, both in health and competitive ability. Between 1939 and 1967, their share of regulated intercity freight dropped by a third. During the same period, the total volume of freight carried by trucks rose six times as fast as that carried by rail.

There is no inherent reason why railroads cannot compete successfully with trucks, since they have appreciably lower costs on medium and long hauls—those over 200 miles. The longer the trip, the greater the cost advantage of rail. In a free market, most medium- and long-distance traffic would go by train.

Right now it doesn't. The reason is that the rate bureaus base their rates on the time-worn principle of "value-of-service" pricing, which means that expensive goods travel at higher rates

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than cheap goods, regardless of the actual cost of transporting them. Besides preventing monopolistic pricing and rate wars, value-of-service pricing was designed to promote development of the West by holding down rates on the low-value bulk goods that farms and mines produce. Hay, for instance, which takes up a lot of space, was made cheap to ship, while gold, which is compact, was made expensive. Both the railroads and the public saw this as a way of stabilizing the industry. The problem today is that rail and truck prices are based on the same rules, which keep their rates roughly equal —that is, the rates are based on the kind of product carried, rather than the cost of carrying it. Shippers have a choice between sending their cargo by truck, which can provide door-to-door service, or by train, which can deliver goods only to a particular city or town. Trucks can offer better service than railroads, but only at a higher real cost on most hauls. Present pricing thus both hobbles the railroads and deprives the shipper of the choice between superior service and lower rates. (Railroads have not, by the way, pressed for deregulation, apparently preferring the known—however unprofitable—to the unknown.)

Unregulated Trucks

A look at the differences between regulated and unregulated trucks dramatizes the wasteful consequences of regulation. Under current law, there are three kinds of commercial trucks exempt from federal regulation. The first kind is trucks carrying agricultural products. When during the 1950s the courts ruled that frozen fruits and vegetables, frozen poultry, and fresh dressed poultry were exempt goods, their rates fell sharply—for frozen fruits and vegetables, 19 per cent in two years; for frozen and dressed poultry, 33 per cent. When Congress removed the exemption, rates went right back up.

The second kind of unregulated trucks are those owned or leased by companies that want to ship their own goods. If Safeway, for instance, wants to buy its own trucks it can ship its products anywhere it wants. The only restriction is that it can't carry anyone else's goods. This can be a tremendous money-saver. Ann Friedlaender of the Brookings Institution notes that one paper manufacturer "was able to cut freight costs by 45 per cent by using leased equipment. Another company saved between 25 and 45 per cent on freight."

The final variety of unregulated truckers is what's called "contract carriers." These are companies who have only a few long-term clients and usually charge more than common carriers. In return for the higher price, shippers who use contract carriers can send their goods anywhere they want, rather than having to figure out which common carrier has the rights to which route. It's like the difference between taking a bus and taking a cab. Like a bus, a common carrier is cheaper, but it follows only one specific route, and you may have to transfer several times to reach a faraway destination. While common carriers can carry the goods of one and all on their prescribed routes, contract carriers have to apply to the ICC for special permission each time they take on a new client, and this process can take two years. So while contract carriers have freedom of movement, common carriers have freedom of clientele.

A comparison of the United States with countries in Western Europe suggests that relatively unregulated truckers provide better service at lower prices than regulated ones. In Great Britain, following complete deregulation in 1971, rates fell by five per cent—even though the government had controlled only entry, not rates, points served, or routes. The lowest rates are in Belgium and Sweden, both of which permit an essentially free market in trucking. West Germany, which has the most pervasive regulation, also has the highest rates: in

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1973, they were 50-percent higher than anywhere else in Europe. German rates, in fact, run a full 25-percent higher than those in Britain, even though Britain has one of the continent's worst highway systems and West Germany one of the best.

The Carter Administration has endorsed deregulation of the nation's rail and trucking industry. ICC deregulation was also a pet cause of President Ford, who found allies of assorted philosophical persuasions, from the Consumer Federation of America to Common Cause to Ralph Nader to laissez-faire Republicans. Nader has suggested that the ICC be simply abolished, as has Senator William Proxmire.

Any change in that direction would be to the benefit of American consumers and shippers, and most likely would help revive the railroads as well. Eliminating value-of-service pricing to allow them to undercut truck rates on a lot of freight traffic would do more for the rail industry than a dozen Penn Central bailouts. After years of trying to compete with their hands tied, the railroads deserve a fair fight.

Trucking interests say deregulation would lead to chaos, but the evidence of unregulated trucking argues the opposite. Most critics of the ICC believe a freer transportation market would force prices down. Stan Sender adds that the reductions would not necessarily be across the board: "Sometimes a shipper wants fast service; other times he'll sacrifice that for a lower price. In a competitive marketplace you can shop at an expensive store, a discount store, or one somewhere in between. In a freer trucking marketplace, you would have a much greater range of price and service options." In other words, the customer would get what he wants, and what he can afford.

From its beginning, the ICC has failed to promote healthy competition, falling instead into a pattern of protecting the strong, hindering the weak, keeping out those who aren't already in, and letting the public be damned. The real culprit, however, is not the commission itself, which, given the American experience with regulatory agencies, could hardly be expected to do otherwise. The source of the problems that regulation causes is the original Interstate Commerce Act, which is designed to create and maintain a cartelized industry. As long as the ICC is authorized to limit entry, fix rates, prescribe routes and commodities, and generally restrict competition among supposed rivals, it will do so. In order to introduce some simple elements of free market capitalism into truck and rail transportation, those powers should be abolished. ■

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Tidbits and Outrages

Out of the Wallets of Babes . . . .

Gilbert Merritt, a nominee for a judgeship on the Circuit Court of Appeals sponsored by Senator Jim Sasser of Tennessee, recently went through confirmation hearings before the Senate Judiciary Committee. In response to a question about the contributions of $1,000 each by his three children—aged 10, 11 and 12—to Senator Sasser's campaign, Merritt said the contributions were the childrens' own idea. "The children were well aware of political campaigning and very well aware of the need for campaign contributions, and were very well aware at that time of the need for such contributions by Senator Sasser."

Why the Lord Should Be Your Lifeboat

There is a ferry that crosses the mouth of Delaware Bay covering the 30 miles between lower Delaware and Cape May, New Jersey. Its capacity is 700 people. All over the ferry there are arrows pointing upward saying "Lifeboats this way." When you reach the boats, you find that there are two of them, each seating 25 people. The ferry displays a certificate of seaworthiness from the United States Coast Guard.

Athletes, Musicians, and Other Subverters of Merit

Russell Baker has written one of his rare un-funny columns on the Bakke case, and it is the best thing we have read on the subject. In case you missed it, here is how it began:

"Even the fanciest colleges employ some sort of quota system when deciding who shall be admitted and who turned away. The admissions office usually recognizes, for example, that the college needs some heavily muscled young men who can play football and a few extremely tall young men who can play basketball.

"If the band's tuba player has just been graduated, the admissions office will be sensitive to the need for a replacement. If the campus has become dense with bookish drones, the admissions people may sense a need to take on a leavening detachment of not-too-bookish hell-raisers, and if the student body is heavily populated with Eastern city youths the college may choose to take an infusion of youngsters from Midwestern farms.

"It makes for little boiling of the blood when an applicant with straight As in high school is passed over for a promising fullback who will obviously have to settle for the gentleman's C. At least nobody has yet gone to law claiming he has been discriminated against because a college for which he was academically qualified rejected him in favor of a football player with lower grades.

"The assumption a. the admissions office is that the college is a community with needs that cannot be met if membership is granted solely on grounds of academic performance. The health of the community is assumed to require a human diversity which cannot be obtained if ability to obtain high grades is the only requirement for membership."

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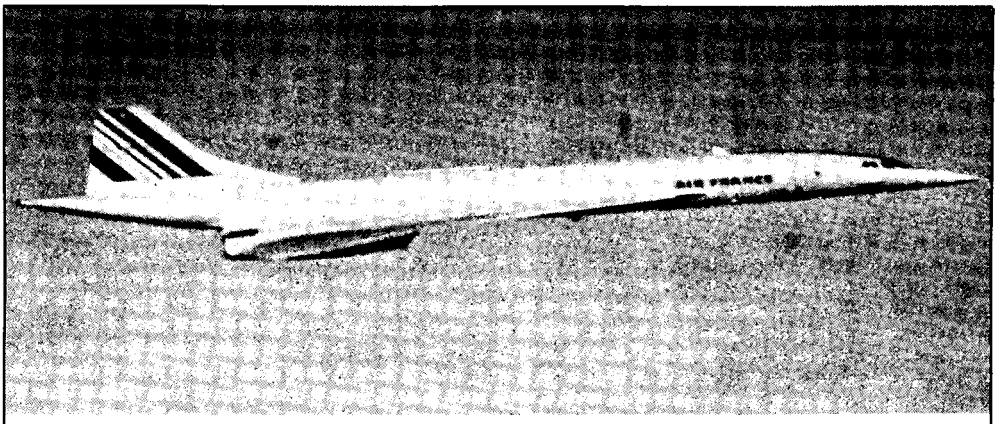

You've Got a Very Fortunate Friend at the World Bank

"Assistant Secretary-Conference Service Sector. Prepares and organizes meetings sponsored by the bank such as those of the Board of Governors and its committees. Processes special votings . . . handles the appointments, resignations, and other matters related to the Governors of the Bank."

What do you think a job like that would pay? Between $10,000 and $20,000? John Holusha of *The Washington Star* reports that, if you work at the Inter-American Bank, the answer is $69,680. Generous salaries are only part of the appeal of working at such international organizations as the Inter-American Bank and the World Bank. There is also first class air travel. Here's a report from UPI:

"Officials of the World Bank, which receives much of its financing from the United States, took nearly 600 trips this year on the costly airplane, Concorde. The bank also frequently pays travel costs for officials' wives.

"Spouses often accompany officials at government expense for 'public relations' purposes, solely to attend social activities. The World Bank spent $603,000 last year on trips for 203 spouses, explaining this improved morale.

"First-class travel is virtually the rule at the World Bank, which administers a $40 billion loan program for the impoverished countries of the world. More than 7,800 trips in the last year have cost the bank more than $12 million.

"Most bank officials flying to London on official business choose the most costly commercial transportation available, the Concorde, which costs $1,683 round trip as against the $678 coach fare on a regular jet.

"The bank defends the Concorde's use, saying the reduced flight time means fewer man hours spent in flight and therefore saves money. But a Senate investigator who has examined bank practices terms this rationale 'as phony as it can be.' He says: 'No one else in the Government, no matter how important their mission, flies the Concorde.' "

Give Up on Balancing that Budget, Jimmy

From the San Jose (Calif.) *Mercury News* comes this tribute to the fiscal ingenuity of the local city fathers:

"San Jose unveiled an imaginative plan for paying off $11.8 million in federal mortgages on downtown redevelopment areas Friday: using federal funds to make the payments.

"Asst. Redevelopment Director Russ Campbell said . . . that the city has applied for a $4,586,000 grant from the U.S. Housing and Urban Development Department to help pay off the mortgages.

"The balance of the money will come from the federal Community Development Block Grant program and redevelopment funds already on hand.

"Campbell had no explanation for why the federal government has to take money from one pocket and put it into another to pay off the mortgages, instead of just canceling them."

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more tidbits and outrages

Waging the Peace

According to Gene Famigletti of *Air Force Times*, a White House memorandum recently pointed out that the DOD "spends about $36 billion—30 to 35 percent of its budget—on support services, including supply and maintenance, health care, training and base operations.

" 'There is much evidence that these functions are more expensive and less effective than they might be,' the White House paper said. . . .

" 'There are 36 wholesale supply depots run by DOD at an annual operating cost of $1.3 billion,' the paper said. 'Each of these depots has excess storage capacity and many are located in the same geographic region, e.g., six in the San Francisco Bay area, four in eastern Pennsylvania and two in Tidewater Virginia.'

" 'Fifty percent of military hospitals are within 50 miles of another military hospital; there is little cross-service coordination,' the summary said. 'In the Washington, D.C., area there are four military hospitals. The San Antonio, San Diego and San Francisco areas each have two military hospitals,' it said."

One explanation for the excess hospitals came in this report by the Associated Press from New Orleans:

"The new $21 million F. Edward Hebert Naval Hospital, with a capacity of 250 beds, had 20 patients this week. Since it opened six months ago, it has never had more than 50.

" 'Everybody asks me how this happened,' said Capt. F. C. Gregg, the hospital's commanding officer. 'I wasn't in on the planning. But I assume the planners thought things were going to happen and they didn't.'

"The hospital is named for the Louisiana congressman who was chairman of the House Armed Services Committee for years before he was ousted from the post in January 1975. That, it turns out, is part of the problem.

"Plans for the building, which is the first naval hospital to bear the name of any person and the first built since World War II that did not replace an old hospital, were well under way when Mr. Hebert lost his post.

"Originally, the hospital was part of a plan to move some Navy operations to New Orleans. But when Mr. Hebert lost his position as chairman of the Armed Services Committee, the plan to shift naval operations here lost its impetus."

The Armies of the Night

You remember Lally Weymouth. She's the one who in the introduction to her book about life in 1876 gave generous thanks to *Mr.* John Winthrop Aldrich, *Mrs.* Vincent Astor, *Mr.* Averill Harriman, *Mr.* Paul Mellon, and then to a score of plain old people who didn't rate a Mr. or Mrs. Recently Weymouth was the hostess at the party where Norman Mailer attacked Gore Vidal. Her indifference to the beautiful people found expression again in her guest list. Here it is, as reported by Nancy Collins in *The Washington Post*.

"The dinner party, honoring British publisher George Weidenfeld, included CBS board chairman Bill Paley, Jacqueline Onassis, Pete Hamill, writer Susan Sontag, Lillian Hellman, Atlantic Records mogul Ahmet Ehrtegun, Evangeline Bruce, Hollywood agent Sue Mengers, Rolling Stone's Jann Wenner, Esquire editor Clay Felker with author Gail Sheehy, British Ambassador Peter Jay, Gay Talese, Barbara Walters, William and Rose Styron, millionaire businessman Max Palevsky, New York magazine editor Joe Armstrong, California Gov. Jerry Brown, Barbara Howar, New York Times assistant metropolitan editor Warren Hoge, Mariella Agnelli, Katharine Graham, publisher of The Washington Post and mother of the hostess, economist John Kenneth Galbraith, Random House chief and Vidal publisher Jason Epstein and wife, Barbara, David and Linda Obst, Shana Alexander, and others."

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What's Wrong With Dentists

by Craig Burke

I have been wary of dentists ever since a neighbor of mine in the Washington suburbs in 1950 got the word that she needed a number of fillings, a couple of crowns, and a cap. The estimated cost was $750. That was a lot of money in those days. GS-18s didn't make $47,500 then. There were no GS-18s. The top grade in the federal government was GS-15, and Congress had passed a law in 1949 limiting civil service salaries to $14,800. All prices in Washington are geared to the government pay scale, so this gives an idea of how much of a bite out of my friend's budget the dentist wanted to take.

In despair, afraid she couldn't afford to feed her family and have her teeth fixed too, she fled to the clinic of the Georgetown University Dental School, where advanced students, warming up for their finals, worked on indigent patients and other volunteers. After looking my friend over, the professors and students there agreed that the most they could possibly find to do to her was to fill two teeth.

The excesses of doctors are well known—there are hundreds of thousands of unnecessary hysterectomies and tonsillectomies every year, millions of needless operations in all. As my friend's experience shows, those sins are also present in the world of dentistry, though they're not as well documented. It's worth looking into what needless expensive tinkering with your teeth your dentist does. How can you prove your old fillings don't all need to be replaced, as some dentists might tell you? Or that three or four of the really ancient ones don't have to be replaced by crowns, or that one or two others don't need root canal treatment and capping? How can you prove you don't need an operation on your gums? Opportunities for unscrupulous dentists are abundant. I believe there is a lot you should keep in mind when you sit down in a dentist's chair.

The American Dental Association, the trade union of the profession, says the thing to watch out for in dentists is "patch-work"—cut-rate extractions and cheap dentures as the solution to all dental ills. No doubt that's true—more teeth than need to be certainly are pulled—but the ADA's solution holds considerable peril too, mostly to the wallet. What the ADA is pushing is specialized "preventive" dentistry, which aims to prevent tooth loss through a complicated, never-ending series of expensive treatments: orthodontia, gum surgery, root canal work, crowning, and capping. One professor of dentistry, speaking in support of preventive tooth care, says, "We could make a big step forward if everyone spent 69 cents for a two-month supply of dental floss half a dozen times a year plus a couple of dollars for toothbrushes." But in fact, what the profession seems to have in mind is a regular series of treatments that run into the thousands of dollars.

A year ago my wife and I learned this the hard way. She has lived with a succession of capped front teeth ever since going through a windshield when she was eight years old, and last fall our dentist told her that her last capping job had helped cause severe gum damage. In order to save her teeth, her whole upper jaw needed

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periodontal surgery. Then all her teeth, not just the front ones, needed to be capped and supplied with splints. The cost estimate was $7,000. For good measure, the dentist also suggested surgery on her lower jaw for another $1,075. When she asked if there was an alternative treatment, the dentist said she could have all her upper teeth pulled.

Despite the shock involved in losing her teeth, she decided it was less than the physical and financial trauma of two operations. After four months of visiting dentists every two weeks, she had a full upper denture, plus the recommended lower-jaw surgery. The dentist then told her she ought to have her lower teeth capped because they had been weakened in the course of the gum surgery that was supposed to save them. The bill would be $3,000.

My wife refused the suggestion and decided instead to follow a rigorous program of half an hour's flossing, water-picking, and flouride rinsing every day for the rest of her life. Her gum specialist said, however, that he couldn't promise she wouldn't need surgery again. But the alternative, caps, was only guaranteed to work for five years, and she couldn't face the prospect of going through the whole thing again.

Now it was my turn. Although I had once had diseased gum tissue removed from the back teeth on both sides of my upper jaw, the dentist said I needed the more complete gum treatment that my wife had had. The estimate was $1,350. When I insisted on having an alternative treatment plan to choose from the dentist suggested a simple scraping of the soft tissue of the gum, called cutterage. This would not be a "cure," he warned me. With my wife's experience with cures in mind, I chose Plan B.

Asking for an alternative treatment plan was the only smart thing I did in my bout with the dentists. It was just chance that I did so, but I would have known it's an essential if I had waited a year and read a helpful new book called *How to Save Your Teeth and Your Money*, by dentist Melvin Denholtz and his writer wife Elaine. Among other suggestions, the Denholtzes say you should be sure you get a thorough examination with x-rays before any work starts—otherwise, your dentist cannot know what is happening under existing fillings and might fill a tooth that is abscessed. When he's taking the x-rays, your dentist should prevent you from being exposed to radiation by making you wear a lead bib. He should take your medical-dental history during your first visit, in order to avoid accidents stemming from a heart condition, diabetes, or drug allergies. If your dentist claims his work can cure anything but your teeth—a backache or arthritis, for instance— he's probably a hack. Also, you should make sure your dentist spells out whatever he wants to do to you in full detail and gives you a precise written estimate of the costs.

These specifics, however, aren't the whole story; there are also important general questions about the dental profession that need asking. Is the ADA more concerned about business than health care? Is the preventive dentistry campaign designed to drive up prices and drum up new business? Why do Census Department figures show that dental fees in 1975 were 69-percent higher than in 1969? When the ADA says 90 per cent of the population needs treatment for gum disease, and that there are more than a billion unfilled cavities in the United States, can it be trusted?

Let's look at the principal features of the economics of dentistry today. First of all, Paul J. Feldstein points out in his excellent study, *Financing Dental Care*, "Dentists keep the customer as ignorant as possible with respect to information that would enable him to choose [dental care] on the basis of quality and price." One important way is by forbidding advertising. Dentists, like doctors and (until the Supreme Court decision of this June) lawyers, exert every pressure

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they can think of to prevent the public from making an economically sensible choice in selecting dental services. Dental societies, affiliates of the ADA, have lobbied through every state legislature laws explicitly banning advertising as unethical. I am sure it would be difficult to find many dentists who would not declaim at length their faith in "free enterprise," but free enterprise can't work if customers can't get the kind of information advertising provides.

Even when asked to divulge their prices, dentists are reluctant. In 1974, when Ralph Nader's Health Research Group tried to get information on fees charged by Washington dentists, only 43 of the 430 dentists in the area replied to the group's questionnaires. Even the ADA's own Bureau of Economic Research and Statistics got only a two-percent response nationally to its survey on dental fees. Dentists say that in their business, quality and fair pricing are ensured through peer group control, as exercised by local dental societies, rather than competition. I wonder how satisfied they would be if their auto mechanics or department stores tried the same thing.

An incident last year showed how far dentists will go to enforce their advertising ban, and to prevent anyone from offering inexpensive dental services. A dental health care insurance company called Denticare opened for business in Florida in December 1975. Denticare is a maverick in the dental insurance field. It will write individual policies, and it insists on publishing its fees, which are below what dental societies call "usual, customary, and reasonable" rates. Its Florida brochure listed prices 25 per cent lower than the local rates.

Five months after Denticare began operating in the state, the Florida State Board of Dentistry voted to prefer charges against four dentists affiliated with the company, threatening them with possible permanent revocation of their licenses. The sin of these dentists was allowing their names to be printed in the Denticare brochure, which was considered a form of advertising. The case dragged on for more than a year, until the board decided that the charges were too severe and the case against the dentists too weak. Nonetheless, the errant four were issued a formal reprimand.

Besides being a good example of how peer group control really works, the case sheds light on the priorities of state dental boards. The Florida dentists were threatened with the ultimate punishment, revocation of their licenses, for letting their names be associated with an insurance group's price list that their fellow members didn't like. State dental boards, whose members are selected by state dental societies, also control licensing and professional quality standards, but they don't pursue those goals with the same fearless ardor that they apply to stamping out advertising. No state board requires any re-examination of dentists after they're admitted to the profession; once a dentist gets his license, he can practice for life without any check on his performance. Only five states have any requirements even for occasional continuing education, and of these, two require just 20 hours of study every five years.

When the Denholtzes sought information from the ADA about how many dental licenses have been revoked in the United States, they were told no such information has ever been compiled. They then put the same question to the dental boards in all 50 states and the District

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of Columbia. They got only 13 answers. Three of them were refusals to divulge any information and three others said there had been no revocations. Apparently advertising is the only crime dentists can commit that will put their licenses in serious jeopardy. For specialization in one of the sub-fields of dentistry, 36 of the 50 state boards have no requirements at all—a dentist can become a specialist simply by declaring himself one.

Another significant feature of the dental profession is that it is a carefully restricted one. The number of dentists in the United States is kept to a level the profession's leaders think will ensure profitable careers, the mechanism for this being a severe limiting of the number of dental schools and students. The state boards decide which school to accredit, and a graduate of an unaccredited school can't get a license to practice from the board. In 1974 there were only 58 accredited dental schools in the country, with 19,400 students. The ADA (sole source of figures on the subject) estimates that there are 120,000 dentists in America, which works out to about 48 per 100,000 people. In 1950, the ratio was 50 per 100,000 people. Little wonder that the cost of dental care keeps rising, and that the poor don't get much of it. People who make less than $3,000 a year visit a dentist, on the average, less than once a year, while those with incomes over $15,000 average two-and-a-half visits annually.

Along with the economic disparities go geographical ones. Rural areas have far fewer dentists than do urban and especially suburban parts of the country. For example, the state of New York has one dentist for every 1,232 people, while Mississippi has one for every 3,685. The U.S. Department of Labor's most recent Occupational Outlook Handbook, published in 1974, advises fledgling dentists that locating in upper-income urban and suburban areas is the key to success.

In any case, dentists do well. Income information about the medical professions is notoriously hard to get from their own trade organizations, but the Census Bureau's most recent figures show a growth in dentists' median income from $13,366 in 1959 to $32,000 in 1972. Even taking

inflation into account, that's a comfortable rise of 51.6 per cent.

In response to all these problems, the Federal Trade Commission announced in January that it was beginning an investigation of the dental care industry "to determine whether restrictions imposed by private and governmental entities on the provision of dental services may be unfair methods of competition." The FTC said it would also look into state and private rules regarding advertising, accreditation of dental schools, licensing requirements, and transfers of licenses from one state to another.

The ADA quickly issued a strong objection, saying that "unrestricted advertising would have no economic benefits for the public and, instead, might lead to serious abuses in the delivery of dental care." The ADA also said the advertising ban was the states' fault, because state laws established it (it didn't mention that those state laws are the product of successful lobbying by the ADA's state affiliates). How advertising would hurt the public and lead to abuses in the delivery of dental care, the ADA didn't say.

So far nothing has developed publicly from the FTC's investigation. One dentist I know who is politically

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well-connected told me that the matter "is being allowed to die on the vine."

If the government isn't going to help us in our financial dealings with dentists, we'll have to help ourselves. One way to do this is through prepaid dental care and another is through the better use of auxiliary personnel like assistants, nurses, and laboratory technicians to provide routine services at lower prices.

Prepaid dental insurance is the fastest-growing fringe benefit in the country. Studies show that more than 3,000 organizations, covering 25 million people, now offer prepaid dental plans to their employees; coverage has increased 19 per cent in the last five years. Now that medical plans and most other kinds of employee benefits are firmly in place, dental insurance seems to be the most frequently negotiated addition to employees' contracts.

Almost all dental insurance is group insurance, although a few individual policies, like Denticare, are available. Most of it is provided by large insurance companies; the average premium is $11.13 a month. Most plans include dependents and limit coverage to $500 or $750 per person per year. About ten per cent of dental insurance is written by an organization known as the Delta Dental Plans Association, which negotiates with and pays participating dentists directly, thus occupying a fonder place in their hearts than plans that pay the patient instead.

Another way of getting prepaid dental care is through a Health Maintenance Organization, a clinic that allows a family to pay one fixed annual price for all services rather than paying on a per-visit basis. HMOs are also a way of getting all medical services in one place, rather than going from specialist to specialist—every HMO should have its own specialists. HMOs work by paying salaries, rather than fees, to the doctors and dentists who work in them, so naturally they're not a popular place to work. But to its credit, the ADA does not oppose the idea of HMOS, as does the greedier American Medical Association. Right now only about one per cent of American dentists participate in HMOs—the rest no doubt are sure they can make more money practicing alone and charging fees—but the number is increasing.

Most dentists also view with suspicion the idea of letting auxiliary personnel perform x-rays, deep cleaning and scraping, the filling of baby teeth, and other routine tasks at much lower rates than the dentists themselves charge. This is known as "team dentistry," and although it is becoming popular in some form in New Zealand, Southeast Asia, Africa, England, and Canada, it hasn't made much headway here. For example, in America the ADA and the state dental societies have taken a very hard line on letting denturists, the technicians who make dentures, deal with patients directly. Denturists make everything that dentists put in their patients' mouths, and the successful fit of dentures, bridges, caps, and crowns depends on the accuracy of their work. But while denturists, left to themselves, would charge about $100 for making and installing a complete set of upper and lower dentures, a high-class dentist charges his patients between $400 and $1,000 for the same services. As a result of the efforts of the dentists' lobby, denturists who work directly with patients are subject to jail and fines in 49 states.

All these ways of getting cheaper dental care are most likely not what your own dentist would suggest. But remember, while he probably is a competent professional, he has his own interests to look out for, and they're not often the same as yours. The most important thing to keep in mind in dealing with your dentist is that he's selling you a product, just like your grocer or your butcher, and you have the right to try to get from him the highest-quality goods at the lowest possible prices. ■

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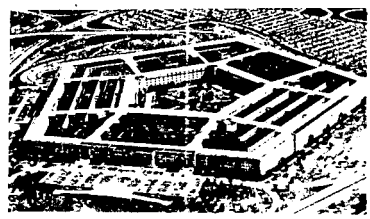
Memo of the Month

PENTAGON BUILDING CIRCULAR



NO: 76-49 DATE: 19 November 1976 EXPIRATION: 31 December 1976

SUBJECT: Pentagon Building Vacuum Cleaner Operations

The Deputy Assistant Secretary of Defense (Environment and Safety) requested that the following information concerning the vacuum cleaner noise problem be disseminated to Pentagon Building occupants:

a. Issue: Numerous employee complaints indicate that vacuum cleaners operated by GSA Custodial Services' personnel emit sound levels which:

(1) Exceed permissible noise limits specified in occupational safety and health standards.

(2) Disrupt important daily activities.

b. Facts:

(1) Pentagon daytime (vice night) cleaning schedules are part of the energy conservation program.

(2) Vacuum cleaner sound level measurements were recorded as follows:

(a) Two machine types register 82-90 decibels.

(b) One type machine registers 92-96 decibels.

c. Evaluation: Occupational safety and health standards permit employee exposure to 90 decibels of sound for eight consecutive hours without the use of protective hearing devices. Pentagon occupants are not exposed to hazardous sound levels under existing standards. Operators of machines which register 92-96 decibels should use protective ear devices, and are required to do so.

NO: 76-50
SUBJECT: Pentagon Building Vacuum Cleaner Operations

d. Actions: Although there is no violation of safety and occupational health standards, the General Services Administration acknowledges the disruptive effect of the vacuum operation during work hours. Accordingly:

(1) Consideration is being given to revising vacuum cleaner operator work schedules to the 4-8 p.m. time period by 31 December 1976.

(2) An effort is underway to obtain quieter vacuum machines.

Paul K. Haselbush
PAUL K. HASELBUSH
DOD Building Administrator
Pentagon

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Who's Who in the Carter Administration

The most powerful people in the White House second rank are **Landon Butler, Hamilton Jordan**'s deputy, **David Aaron** on the national security side, and **Bert Carp** and **David Rubenstein** on the domestic. . . .Less powerful, but nevertheless the strongest presences in their respective offices, are **Jane Frank** under **Jack Watson** and **Michael Cardozo** and **Margaret McKenna** in the counsel's office. The least regarded of the No. 2 men is said to be **Rex Granum** in **Jody Powell**'s office. . . .**Robert D. Thorne, Schlesinger**'s new assistant secretary for energy technology, is regarded as pro-nuclear by environmentalists who are familiar with his record at the AEC and ERDA. . . .If there's a Georgia mafia at the White House, there's an Idaho one over at the Interior Department, where there are ten Idahoans in top jobs under the state's former governor, **Cecil Andrus**. . . .In our October issue, we said **Chester Davenport** was director of the Bureau of Outdoor Recreation. We were wrong. We had it right in May when we said he was Assistant Secretary for Policy, Plans, and Intergovernmental Affairs at the Department of Transportation. He is still there and is generally regarded as incompetent. Like most top officials at DOT, he seems to have been chosen because of his ignorance of the field of transportation.

Appointments Since Our Last Issue:

THE WHITE HOUSE

Associate Press Secretary—Claudia Townsend has been the editor of the *White House News Summary* before stepping up into the position vacated by Walter Duka, who has resigned. For Townsend, a former *Atlanta Constitution* reporter who is only 25, this promotion means a salary increase from approximately $16,000 to $40,000 a year. She is being replaced by her deputy, **Pat Bauer**, former editor for the *Ann Arbor News* in Michigan.

AGRICULTURE

Assistant Secretary for Administration—Joan Wallace is a black woman who was director of the School of Social Work at Western Michigan University. She was previously deputy executive director of programs for the National Urban League.

COMMERCE

Assistant Secretary for Communications and Information—Henry Geller, former FCC general counsel, is a Washington, D.C. communications veteran who has worked with the Rand Corporation and was chairman of the board of Citizens' Communications Center. In this new position, created when **President Carter**'s reorganization plan axed the Office of Telecommunications Policy and consolidated it with the Department of Commerce, Geller advises **Juanita Kreps** and Carter on communications matters.

DEFENSE

Assistant Secretary of the Navy for Financial Management—George A. Peapples was a GM executive from Dexter, Michigan.

Deputy Assistant Secretary for Reserve Affairs—Harold W. Chase is a former Marine and professor at Princeton University and the University of Minnesota. He is a major general in the Marine Corps Reserve and has been a member of the Reserve Forces Policy Board.

Under Secretary of Defense for Research and Engineering—William J. Perry will continue in this redesignated position, which was originally called Director of Defense Research and Engineering.

HEW

Administrator, Alcohol, Drug Abuse and Mental Health Administration—Gerald L. Klerman was a professor of psychiatry at Harvard and director of the Stanley Cobb Laboratories in Research and Psychiatry at Massachusetts General Hospital.

Deputy Director, National Institute of Education—Michael Timpane of Arlington, Virginia, was director of the Center for Educational Finance and Governance. A senior Brookings fellow, Timpane has been on the staff of the Rand Corporation and was Deputy Assistant Secretary and Director of Education Planning at HEW.

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Director, Health Resources Administration—**Henry A. Foley** was appointed by Secretary **Califano** to run programs that include vocational rehabilitation, services for the aging, and medical assistance. He was executive director of the Colorado Department of Social Services and a health economist at the National Institute for Mental Health.

INTERIOR

Director—Federal Office of Surface Mining and Reclamation Enforcement—Walter N. Heine, a "tough-minded" environmental standards enforcer, was the deputy secretary of the Pennsylvania Department of Environmental Resources. Heine's appointment to this new position, created by the recent strip-mine bill, was backed by Secretary of Interior **Cecil Andrus** and opposed by the National Coal Association.

STATE

Ambassador to Guinea—Oliver S. Crosby of Tacoma, Washington has been in the foreign service since he served as consular-political officer in Athens in 1947. He has been a political officer in Tabriz and in Nicosia; an economic officer in Berlin; deputy chief of mission in Bamako and in Laos; and country director for Southern African affairs at the State Department.

Ambassador to Paraguay—Robert E. White is from Melrose Heights, Massachusetts and has been in the foreign service for 25 years. He served in Hong Kong and in Ottawa, and was deputy regional director for Latin America in the Peace Corps. His most recent job was as deputy U.S. Permanent Representative to the Organization of American States.

Ambassador to Indonesia—Edward E. Masters began his foreign service career as a military liaison officer in Frankfurt. Since then, he has been political officer in Karachi and in Madras, Chief of the Indonesia-Malaya Branch of the Office of Intelligence Research Analysis for Asia, officer in charge of Thailand affairs at the State Department, counselor for political affairs in Djakarta. He has been ambassador to Bangladesh since 1976.

TRANSPORTATION

Assistant Secretary—Mortimer L. Downey, who will have primary responsibility for budget and programs, was principal transportation planner for the planning and development department of the Port Authority. He was also supervisor of Rail Public Services for the Port Authority and a budget priority analyst for the House Budget Committee. Before this appointment, he was Deputy Under Secretary of Transportation. He is widely regarded as the most capable person on the Adams team.

TREASURY

Director of the Mint—Stella B. Hackel is a city attorney in Rutland, Vermont who ran, unsuccessfully, for the governorship of Vermont. Hackel, a Democrat, will succeed **Mary T. Brooks**, who has resigned.

AGENCIES AND COMMISSIONS

Corporation for Public Broadcasting, Board of Directors

Member-Gillian Martin Sorensen, wife of **Ted Sorensen**, was an early Carter supporter who organized New York City artists for him during the presidential campaign and was a delegate to the Democratic National Convention.

Member—Sharon Percy Rockefeller, wife of West Virginia Governor **Jay Rockefeller** and daughter of the senior senator from Illinois, was another Carter campaigner. She is a board member of WETA-TV, a public television station in Washington. Carter is considerably fonder of her than he is of her father.

Member—Irby Turner, Jr. is a lawyer who has been city attorney for Belzoni, Mississippi since 1959. He served in the Mississippi House and was director of the Mississippi Authority for Educational Television.

Export-Import Bank of U.S., Board of Directors

Member—Donald E. Stingel was vice-chairman of the Commerce Department's Committee on East-West Trade and a member of the Commerce Department's Advisory Committee on Multilateral Trade Negotiations. He was president of Pulman-Swindell Corporation until he resigned earlier this year.

Federal Deposit Insurance Corporation, Board of Directors

Member—William Isaac, who was vice-president and general counsel for First Kentucky National Corporation and its subsid-

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iary, First National Bank of Louisville, will fill one of the Republican vacancies on this board.

Federal Election Committee

Member—Samuel D. Zagoria has been a reporter with *The Washington Post*, president of the Washington Newspaper Guild, and administrative assistant to Senator **Clifford Case**. His appointment by Carter to a Republican slot on this commission has infuriated House Minority Leader **John Rhodes**, and Senate Minority Leader **Howard Baker**, who had a more conservative Republican in mind for the post. Zagoria, who was recommended to the president by five liberal Republican senators, was probably selected for his sympathy towards public financing of elections, which is favored by Carter.

General Services Administration

General Counsel—Allie B. Latimer of Coraopolis, Pennsylvania is the first black as well as the first woman to reach this position and to achieve the GS-18 level in the GSA. Latimer was a lawyer with the GSA for 20 years and an assistant general counsel for general law at the National Aeronautics and Space Administration.

National Credit Union Administration

Administrator—Laurence Connell is described as a rare crusading consumerist among the regulators. He has been on the Bank Commission of Connecticut and the Hartford National Corporation, and before that was assistant deputy regional administrator for the Comptroller of the Currency.

National Labor Relations Board

Member—John H. Fanning, a Rhode Islander who will begin a 4th five-year term on this board, will become chairman of the NLRB upon confirmation. He has been a member of the board since 1957, when he was appointed by President Eisenhower.

RESIGNATIONS AND REJECTED/WITHDRAWN NOMINATIONS

White House

Associate Press Secretary—Walter K. Duka will return to his former employer, the U.S. Postal Service, where he will be Assistant Postmaster General for communications, a job he has wanted.

Press Aide—Bill Drummond finished his tour as a White House fellow and returned to the *Los Angeles Times*. He also wrote an article for *Jet* attacking Powell and Carter as anti-black.

Agriculture

Assistant Secretary—Robert H. Meyer resigned after receiving sharp criticism for seeking special federal treatment for the Imperial Valley landowners in California, where he has substantial landholdings.

Defense

Assistant Secretary of the Navy for Financial Management—Gary D. Penisten resigned and is being replaced by **George A. Peapples**, a G.M. executive.

Interior

Assistant Secretary—Robert H. Mendelsohn's nomination was withdrawn after the California Fair Political Practices Commission sued him, charging that he had received improper campaign contributions from a real estate company during his unsuccessful 1974 campaign for California state controller.

Agencies and Commissions

Council on Environmental Quality

Member—Marion Edey's nomination was "indefinitely postponed" by the Senate Public Works Committee. The cause seems to be her involvement with the League of Conservation Voters which publishes a rating of members of Congress on conservation issues. In the past, these ratings have caused embarrassment and occasional defeat to congressmen.

Nuclear Regulatory Commission

Member—Kent F. Hansen's nomination by **President Carter** for a seat in this agency was rejected by the Senate Environment and Public Works Committee. **Secretary Schlesinger** is distressed as he had backed Hansen wholeheartedly and depended on Hansen's help in implementing rapid nuclear energy development. Hansen, who is a professor of nuclear engineering at MIT and a consultant for major nuclear power plant manufacturers, was rejected because of a "noticeable absence of thought, background and depth on such questions as safety and waste disposal," according to **Senator Gary Hart** of the committee. Also a barrier was his consulting work, which was viewed as a conflict-of-interest with his position on the board.

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Money Doesn't Talk in Washington

by Michael Herwitz

This magazine has long maintained that the inflated federal salary structure has made Washington a uniquely well-off community. *The New Republic* recently joined the bandwagon with a widely praised special section on affluence in Washington. Other publications have also begun to echo the theme that Washington and its suburbs make up America's preeminent upper-middle-class enclave.

The arrival of this new conventional wisdom about the Washington way of life is no surprise, since the evidence for it has become so obvious. Washington residents support some of the highest real estate prices in the country without visible strain. It isn't surprising to see young federal workers getting into Porsche convertibles when their workday ends at 4:45. Neiman-Marcus has just opened a new Washington branch. Even the lowly hamburger now routinely costs $3.95 in the plant-filled California-style bars that have become a Washington institution.

But Washington's affluence can be exaggerated. Money plays a different role here than it does in other prosperous American cities. To be sure, Washington is the easiest city in the country in which to make $30,000 a year, a sum most Americans can only dream of. To be sure, government executives get perquisites that the rest of us don't. Still, this is a city where the role models and celebrities, people like cabinet officers and Supreme Court justices, make around $65,000, a fraction of what the role models and celebrities in other cities make. The monetary distinctions between people are not as broad in Washington as they are in most places.

As a result, while government officials are well off by any overall standard, few have enough money to be able to flaunt it. The implications of this situation are important and they are little understood by outsiders. Bert Lance, for instance, is one outsider who never understood, and his financial behavior in Washington stood in sharp contrast to the prevailing ethic.

By all accounts, Lance is a paragon of conspicuous consumption. A *Washington Post* profile of him, written the day he was named director of the Office of Management and Budget, quoted one friend as saying, "He is a little too impressed by money and powerful people." Another described Lance as a "millionaire who enjoys being a millionaire." In Atlanta, Lance and his wife, LaBelle, had entertained lavishly at their 50-room mansion, Butterfly Manna. Atlantans still talk about one dinner party at which the guests were invited in shifts because the dining room at the Manna only sat 50 people. The Lances summered at a $100,000 vacation home in Sea Island, Georgia. There were occasional weekends at their $150,000 estate in Calhoun. And every spring, without fail, Bert and LaBelle went to Paris.

Michael Herwitz is a pseudonym.

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LaBelle is a key to understanding her husband. She is a banker's granddaughter whose family eventually allowed Bert to take over the Calhoun National Bank, and many of Lance's financial pyrotechnics seem little more than the efforts of an insecure man to prove to his in-laws that he was good enough to deserve to marry into the family. It is revealing that many of the overdrafts that later caused Lance trouble were on checks written by LaBelle's relatives. For example, LaBelle's brother Claude is estimated to have had $300,000 in overdrafts at the Calhoun National Bank. Another brother, Beverly, had—when he committed suicide—$70,000 in overdrafts and $170,000 in loans. LaBelle's mother and stepfather also had sizable loans and overdrafts. The same intra-family insecurity may have lain behind the zeal of Lance's conspicuous consumption in Atlanta.

But Atlanta was surely part of it too. It's a city where only two things really matter—family and money (or, at least, the appearance of having money). Because Lance's family lacked pedigree, the money, and its display, became even more important. What Lance didn't realize when he came into the government is that Washington is worlds removed from Atlanta. While no one spurns money or family here, those attributes pale in comparison to political power. Washington hostesses have endured—even pandered to—some of the world's most graceless boors because they were senators, Cabinet members, or friends of the President.

Answer to November Puzzle

1 I	N	2 C	O	3 M	E	4 T	A	5 X	R	6 E	F	7 O	R	8 M
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9 E	V	A	S	I	O	N	■	10 A	L	A	B	A	M	A
M	■	R	■	R	■	D	■	Y	■	B	■	T	■	N
11 I	M	I	T	A	T	E	■	12 S	T	O	R	I	E	D
Z	■	T	■	■	■	R	■	■	■	R	■	N	■	E
13 E	T	Y	M	14 O	L	O	G	15 Y	■	16 A	N	G	E	R
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17 A	S	18 C	O	T	■	19 S	U	C	C	E	S	20 S	E	21 S
E	■	O	■	E	■	■	■	H	■	■	■	H	■	Y
22 R	U	N	N	E	R	23 S	■	24 T	I	25 C	K	E	T	S
A	■	F	■	H	■	H	■	R	■	L	■	L	■	T
26 T	H	I	N	I	C	E	■	27 A	L	I	T	T	L	E
E	■	R	■	L	■	L	■	C	■	F	■	E	■	M
28 S	I	M	P	L	I	F	I	E	D	F	O	R	M	S

All He Could Ever Want

So Lance didn't really need to try to impress anyone when he came to Washington—his friendship with Jimmy Carter gave him all the glamor he could ever want. But it's clear that he and LaBelle sincerely believed that because of his position he had to live a certain way. No matter that his government salary was a far cry from his income as the president of the National Bank of Georgia. No matter that he was in debt to his eyebrows. No matter that the value of his stock was plummeting daily.

Lance was one of the rare Carter Administration officials who decided to live in Georgetown. He rented a house on Dumbarton Street from Washington socialite and former Miss America Yolande Fox. This was an unnecessary extravagance because Lance didn't understand that Washington has created an environment designed to make high government officials feel comfortable on upper-middle-class incomes.

It would be impossible to enjoy fully all the luxuries of New York or Atlanta or Dallas or Los Angeles on an income comparable to a government salary. These are cities that belong to upper-level business executives and people with accumulated capital; each of them has stores, restaurants, neighborhoods, and private clubs that are out of the reach of people who live on $65,000 a year. There are few such barriers in Washington.

Look at some members of the ruling class here. Hamilton Jordan or Tim Kraft would be a priceless ornament at any Washington party, but neither seems to have anything in the bank. Patrick Leahy is a senator from

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Vermont who chairs the Senate subcommittee that determines the city of Washington's budget. Earlier this year Leahy opened his personal financial records to *The Wall Street Journal*, which reported that his monthly after-tax income is $2,673. After retirement and other deductions, Leahy's take-home pay shrinks to $2,119. People like this cannot be made to feel uncomfortable in the city that they rule, so even those few Washingtonians who really are wealthy generally don't broadcast it.

The absence of the obviously rich has spawned a few democratic customs in Washington that tend to startle outsiders. New York businessmen arriving in Washington on the Metroliner often unfavorably compare the taxicab situation at Union Station to that of a developing country. Other cities have a one-man-one-cab policy; Washington encourages group riding. Arriving train passengers are shoved into waiting taxis in groups of five to wend their way through downtown Washington as if they were on a lost jitney bus. Even those lucky few who get a cab to themselves are accustomed to having it pull over in the middle of the ride to pick up another fare or two. Group riding may not be elegant, but it is one mechanism that Washington uses to maintain some of the lowest cab fares in the country.

A State of Near-Hysteria

New York restaurants and businessmen are currently in a state of near-hysteria about President Carter's determination to curb the tax deduction for expense-account lunches. That change will have a far less devastating impact on Washington's lunch habits. No one in the federal government has an expense account, (although the best-known can be taken out by journalists on *their* expense accounts) and the lunch prices of even the best restaurants are pegged toward what high government officials can afford out of their own pockets.

Washington's servant problem is that most high government officials can't afford them. In a rare gesture of financial realism, even LaBelle Lance did without them in her nine months in Washington. She did, however, complain to Sally Quinn of *The Washington Post* about how difficult it is to live without help. Democratic ideology, perhaps born out of financial necessity, plays a role as well. If you were to tell a prominent banker or lawyer in New Orleans, for example, that it is possible to dine at the home of one of the most powerful people in Washington and be expected to help clear the table, he would be shocked. (It is true, however, that part-time cleaning ladies are popular here.)

The Open City

The increasingly prominent social role of the press adds a further democratic leavening to Washington. Prominent journalists are people whose social entree depends on the institutions they represent, rather than on their income or the social prominence of their families. In fact, because your status depends mostly on your job, Washington is generally a very open city socially. New York bankers and Grosse Pointe auto executives live in tight social spheres that are difficult for outsiders to penetrate. But one friend of mine arrived in Washington a few months ago, immediately crashed a reception, and found himself chatting amiably with Clark Clifford, that impeccable symbol of status and authority in Washington. Clifford saw nothing odd in patiently answering the questions of a total stranger at a Washington cocktail party.

Not only does Washington not demand most of the conventional badges of having made it big—it outright frowns on some of them. This is not, for example, a city of flashy dressers. Some White House aides don't have to wear a tie to work, and even a Cabinet officer needs nothing more than three or four suits, purchased off the rack, and a serviceable tuxedo. Taste in Washington is dic-

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tated by department stores, not expensive designers. Dressing too well can stimulate as much comment as dressing badly. Ron Dellums, who has a large wardrobe of designer clothes, is the continuing object of jokes about his tailor.

In most American cities, private schools for your children are another determinant of social status. That at first appears to be true in the Washington area too—even the presence of Amy Carter hasn't stimulated much interest among middle-class parents, black or white, in sending their children to public schools in the District of Columbia. But this isn't due to snobbery; in fact, Washington may be the only city in the country where sending children to private schools is a source of embarrassment for parents. It's just that the District's public schools are among the worst in the country. In the Maryland and Virginia suburbs, most parents great and small send their children to public schools, and these schools are of high quality.

Private Clubs

Then there's the matter of private clubs. Back in January, Griffin Bell's long-standing membership in two Atlanta clubs (the Piedmont Driving Club and the Capital City Club) stirred up a controversy because these clubs discriminated against Jews and blacks. At the time, Bell expressed concern over resigning because he feared losing the $10,000 he had paid in initiation fees.

Clubs play a role in Washington society as well, but any prominent political figure is practically guaranteed admission to every club in town, aside from a couple of isolated islands of snobbery. And high initiation fees are rare in Washington. When Tongsun Park (with the help of Washington luminaries like Tommy Corcoran and Anna Chennault) established The Georgetown Club in 1966 as a base for his lobbying efforts, he kept dues artificially low. Even today, with Park gone from the scene, the club's initiation fee is $800 for a couple and the annual dues are $450.. Dining at Pisces, another club in Georgetown that Park helped found, is a sure-fire way to get mentioned in the society columns of *The Washington Post* and *The Washington Star*, but initiation costs only about as much as a color television set.

So here we have a city that's a paradise for the upper reaches of the middle class. If the will of the people has placed limits on the salaries of major government officials, the local ambiance has compensated by making cabs and clubs inexpensive and servants, private schools, and custom-made suits unnecessary. Washington is a city where it's easy to keep up with the Joneses.

This climate has some salutary effects on government. Despite the multitude of scandals in Washington in recent years, there have been relatively few cases of large sums of money changing hands for personal, rather than campaign, use. The scandals have involved alcoholism, sex, free plane rides, illegal campaign contributions, and expensive gifts from mysterious Koreans. But it is an index of the relative unimportance of money in Washington that there have been few cases of outright bribery.

Smart lobbyists know that attitudes toward money in Washington are hopelessly middle-class. If a congressman took a cash bribe, he would probably feel compelled to put the money aside for his children's college education. The way to a public official's heart is through his ego, not his wallet. The best lobbyists influence officials by making them feel that they're important, that they've arrived, that they have legions of warm and admiring friends. Park is infamous for his outright gifts, but whatever success he achieved probably came more from his dispensing of club memberships and sponsorship of warm and elegant parties. Cynics often claim that money talks, but in Washington it just mumbles, barely audible under the din of power and prestige. ■

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Richard Reeves on Political Books

One day last October I stopped by my publisher's office to clean up a few final details on a book I had just completed on the 1976 Democratic National Convention. "Is Carter going to make it?" asked Dan Okrent, the editor-in-chief of Harcourt Brace Jovanovich.

"I think so," I said. "I didn't know you cared."

"I care," he said. "You better care, too. There's a pattern to bookstore orders for *Convention*. They want 50 copies if Carter wins, but only 10 if Ford wins."

Jimmy Carter, it turned out, was my candidate. I should have figured that out before. He was, as I thought about it, the candidate of a frustrated generation of American political reporters. My generation—people like Johnny Apple and Jim Wooten of *The New York Times*, Jack Nelson of *The Los Angeles Times*, Marty Schram of *Newsday*, Patrick Anderson, and a lot of others. For years, we had seen our business defined by a generation that came along with John F. Kennedy—the Hugh Sideys and Joe Krafts—who had been able to report politics as the institutionalized ambition of their candidates, the Kennedys, Nixon, Humphrey, and Rockefeller.

Then *we* found someone *they* didn't know—an outsider. We began touting Jimmy Carter in early 1976; they began mocking him. To me, he was a transitional figure who understood symbolic communication in mediaworld; to James Reston, he was the slightly laughable "Wee Jimmy." The lines were drawn—in shorthand: Carter vs. Humphrey.

The irony came later when the Old Guard had to adopt its own outsider, Jerry Brown, to try to stop our outsider. I was having lunch the other day with Brown's campaign manager, Mickey Kantor, and he asked me whether I could explain something that had surprised him when Brown entered the race: How could it be that the younger press was so hostile to Brown, their generational kinsman, while older reporters, Reston, Dave Broder, Sidey, Mary McGrory, were so friendly?

This column is my explanation. We were already committed to Carter. We knew him, we had forecast his triumph, we had checked out our new desks at the White House, and we had begun our Carter books—the books we expected to take us into the first rank of our little business.

All of which is prologue to noting the March publication by Summit Books of *Dasher: The Roots and Rising of Jimmy Carter* by James Wooten. The book will be the main selection of The Book-of-the-Month Club, which means more than $100,000 to my buddy and generational peer. If Carter had lost, the book wouldn't have been worth 10

Richard Reeves is the author of Convention. *His column is a regular feature of* The Washington Monthly.

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cents—I guess mine wouldn't have been worth much more.

Wooten's book is worth that kind of money not only because he is a fine writer, but because he was there in the beginning. He can recall sitting with Carter in a dingy little restaurant in New Hampshire at the beginning of the campaign and baiting the candidate about a meeting with William Loeb, the publisher of *The Manchester Union-Leader*. Then:

"Carter stopped fiddling with the silverware. He stopped playing with the little napkin. He stared at the reporter, his pale eyes unblinking. The vein in his right temple began to pulse. His voice was almost a whisper.

" 'Listen,' he hissed, 'I'm not a liar.' He stalked out of the restaurant, still hungry and mad as hell."

Hugh Sidey, Joe Kraft, Ben Bradlee, the rest, they can't match that. We were there; they weren't.

I'm not saying that we all liked Carter. Liking was never part of it. Our lives and ambitions happened to come together—to mutual benefit. When Ken Auletta of *More* magazine interviewed reporters on the Carter campaign about what his success meant to them, he got his best answer from Curtis Wilkie of *The Boston Globe*:

"I'm going to be in a position to actually know a President and Vice President of the United States and be able to say to my kids—if Carter wins—that I covered probably the most remarkable political story of the century. The political thing to do is to say it doesn't matter to me. Shit, it does. . . if Carter ever sees me, he'll know who I am. No President ever knew who Curtis Wilkie was."

In fact, I would guess that most of the reporters who started out with Carter do not like him at the moment. He has disappointed us with his shaky start. As they used to say of John Lindsay, Carter is giving good intentions a bad name. Worse, he may give a bad name to reporters who favored outsiders. "You know, Hugh Sidey may turn out to be right," said another *Time* correspondent. "Maybe for all the wrong reasons, but maybe he'll be able to say 'I told you so, no one I don't know can run the country.' "

We, journalism's lost generation, may have to start all over again. When Jimmy Carter, now President, flew into Los Angeles late this October, a young reporter asked why Jim Wooten, Marty Schram, and I were all watching Jerry Brown instead of Carter. "Well," I said, "we've all already done books on Carter." ■

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political book notes

Public affairs books to be published in December

Cancer Crusade. Richard N. Rettig. Princeton Univ. Press, $15. When this crusade was launched by the federal government in 1971, House Concurrent Resolution 526 declared: "It is sense of Congress that the conquest of cancer. . . . is to be accomplished by 1976." But in 1977 the chairman of the President's Cancer Panel writes that what has been learned "only underlies how vast are the areas of ignorance that remain." This is a thorough and balanced telling of the story of the war against cancer and why its results have been so disappointing.

Child Maltreatment in the United States: A Challenge to Social Institutions. Saad Z. Nagi. Columbia Univ. Press, $8.

The Constitution and the Common Law. Randall Bridwell, Ralph U. Whitten. Lexington, $18. Lawyers who know *Erie Railroad v. Tompkins* and the case it overruled, *Swift v. Tyson*, may find this an easy book to get into. For the layman, however, it is a difficult, though ultimately rather persuasive, argument about how our law and its historians have misread the past, particularly the period up to 1860.

Decade of Decisions: American Policy Toward the Arab-Israeli Confict, 1967-1976. William B. Quandt. Univ. of California Press, $14.95.

Education and the Presidency. Chester E. Finn, Jr.. Lexington, $15. Chester E. Finn, Jr. was a minor figure in the Nixon White House, a staff aide on education to then-presidential counselor Daniel P. Moynihan and later to John Ehrlichman. Education was an area of policy that concerned Nixon little, and occupied even less of his time. This book is based on Finn's doctoral dissertation. That combination is not, at first blush, a promising one.

Yet Finn was a keen observer of educa-

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tion policy-making as well as an earnest participant. And perhaps because education was such a minor concern to Nixon, it provides a useful example of how he handled the greater part of his responsibilities as President. Historians and journalists generally take Presidents on their own terms, concentrating their attention on the issues that the President under study concentrated his attention on. What Finn has done is take an important area of policy that Presidents *are* responsible for, and then look at how this particular President handled it.

"Policy" was perhaps too strong a word for federal activity in education in 1969. "There was no federal education policy as such . . . ," Finn notes, "simply pieces of policies that never came together." In 1965, President Johnson had broken through years of entrenched opposition to the very idea of federal aid to education and had gotten Congress to pass the Higher Education Act and the Elementary and Secondary Education Act. Federal outlays had tripled from $3 billion to $9 billion by the end of Johnson's term. Yet no single agency controlled even half that money, and no coherent set of goals and strategies governed the multiple agencies that did spend it. Still worse, there was little concern for measuring the success of the programs; the assumption seemed to be that more "inputs"—teachers, buildings, equipment, and so on—would inevitably lead to more and better "outputs"—educated students.

This was an assumption that educational interest groups were perfectly comfortable with; after all, if money was to be thrown at a problem, they would be the ones to catch it. As a result, the other two points on the education "interest triangle"—congressmen on education committees and bureaucrats in HEW's Office of Education and elsewhere—saw to it that the education porkbarrel continued to grow.

At the same time, though, researchers were beginning to find that the new compensatory education programs like Head Start were having almost no effect at all on students' abilities. The Coleman Report was even more striking: it found that learning had little to do with alterations in per-pupil expenditures, class size, and teacher training.

What Moynihan ended up proposing to Nixon was that the growth in spending for current, apparently useless education programs be decelerated and that a National Institute of Education be established to find out what approaches to education did work, before a new wave of spending began. Nixon bought the idea in its entirety. Both the fact and the method of his doing so reveal a lot about how Richard Nixon went about making decisions as President.

Lowest on his ladder of priorities were the opinions of the interest triangles, at least those concerned with social policies. Moynihan's working group on education had been closed to "outsiders," both congressmen and powerful educational groups like the National Education Association. As a result, Nixon's 1970 message to Congress on education not only rejected the stepped-up spending increases that the educational establishment wanted, but took a few swipes at educators to boot.

Nixon's rejection of interest-triangle influence was, in effect, a rejection of the entire thrust of New Deal politics and all that has followed. "Interest-group liberalism," as political scientist Theodore Lowi has described it, was a philosophy of government that saw the public sector as a large pie to be divided up among those powerful groups most directly affected by its various activities. Nixon challenged this philosophy, though less strenuously when it applied to military and business triangles.

What filled the void, then? Occasionally, at least, the power of a good idea did. This is an unusual thesis, to be sure, but how else to explain the guaranteed income proposal and the trip to China?

Alas, Nixon was no philosopher-king. For first among his criteria in decision-making was public opinion or, more accurately, popular prejudices. Nixon had not stayed afloat politically by appealing to the best in Americans, but to their darker side. So however great the appeal of a new approach to learning, the opportunity to play on popular fears about busing in an election year appealed to him more. The result was a 1972 speech calling for $1.5 billion in aid to predominantly black schools, a belated effort to make them "equal" while keeping them separate. It was of no concern to him that this proposal vitiated the entire thrust of his Moynihan-based education policy; the $1.5 billion was to be spent on precisely the kinds of programs that had been shown to have no effect on learning.

Thus we end up with a dual portrait of Richard Nixon as President. The "good Nixon" was open to bold new ideas that challenged interest-group liberalism for the sake of the national interest. But let an opportunity arise to appeal to the worst instincts of American public opinion—its race hatreds, class resentments of college

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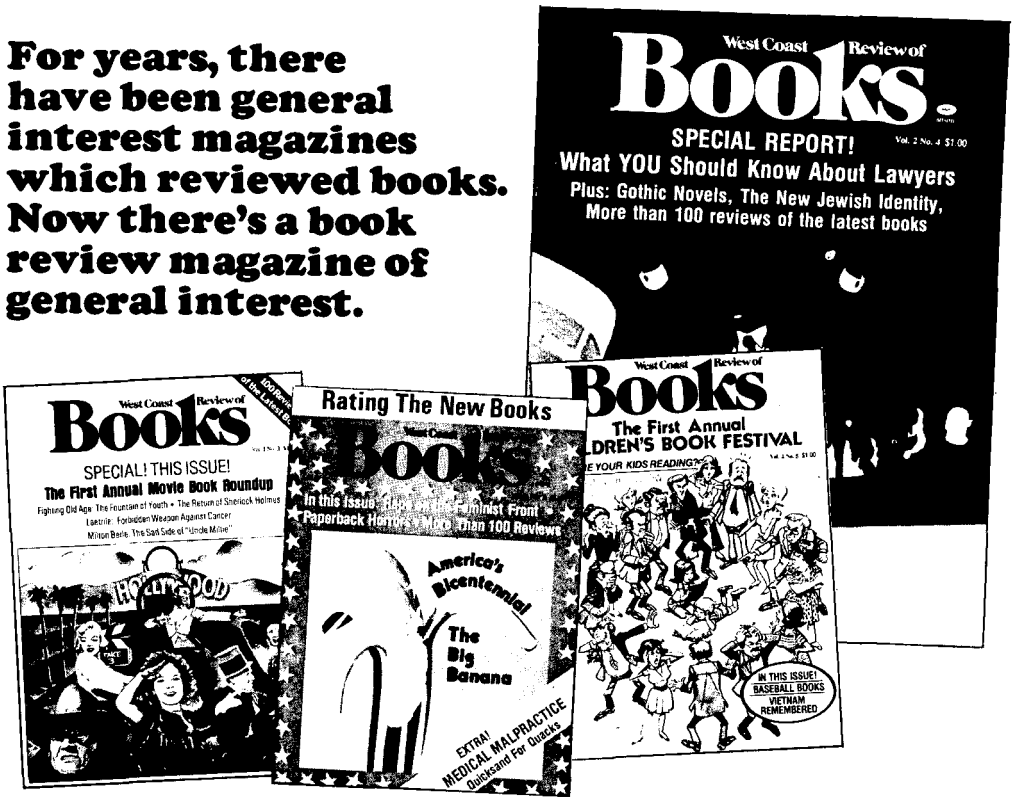

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students, and so on—and the Mr. Hyde we came to know so well would reappear, sweeping all that was good before him.

—Michael Nelson

Genetics, Law and Social Policy. Philip Reilly. Harvard, $15. This study of the problems of eliminating chromosome-linked diseases (sickle-cell anemia, for instance) by a lawyer-geneticist is rough sledding at times —it's an issue of the utmost complexity—but generally worth the effort of reading it. The problem it addresses is: is wiping out genetic disease, which is likely to involve sterilization and abortion, a worthy public health cause or a Hitlerian exercise in eugenics?

The Gun and the Olive Branch: The Roots of Violence in the Middle East. David Hirst. Harcourt Brace Jovanovich, $12.95.

Human Resources and Income Distribution: Issues and Policies. Barry R. Chiswick, June O'Neill, eds. Norton, $12.50; $4.95.

Jimmy Carter and American Fantasy: Psychohistorical Explorations. Lloyd deMause, Henry Ebel, eds. Two Continents, $8.95. For a field in search of intellectual acceptance nothing is more damaging than an advocate who strains for attention with sensational statements flimsily supported. That is the disservice Lloyd deMause renders "psychohistory" with his prediction that Jimmy Carter, "for reasons rooted both in his own personality and in the powerful emotional demands of American fantasy," is very likely to lead us into war by 1979.

The moods or behavior patterns ("group fantasies") of a nation, says deMause, run in cyclical patterns that repeat themselves every three or four years. They have their unconscious origins in four stages of biological birth that each of us experiences, from the first fetal stage, where the womb is intact and secure and we are frabjously felicitous fetuses, to the fourth, or "upheaval," stage, in which we must fight our way out of the choking womb. As we repeat these experiences symbolically in our national behavior, we choose leaders who match the current mood and who will resonate to subsequent ones. "Actual shooting wars . . . begin when two nations, in a slow, deadly dance, match group-fantasy cycles, wave for wave. . . and agree to grapple through a birth together." That is deMause's theory in a nutshell, which may be where it belongs.

Based on such solid contributions as the work of Erik Erikson on Gandhi and Luther, John Demos on the psychology of the American Puritans, and Peter Loewenberg on Nazi youth, psychohistory has just begun to prove its bona fides as an instrument for interpreting political history. Its least tenable ground, however, is its pretension as a predictive tool. And it is precisely upon such pretension that this book makes its case.

The authors do have a couple of interesting, if perhaps a little dubious, things to say. Lillian Carter comes in for a rough time; she is a "distancing" mother, leaving Jimmy in the care of mammies while she goes off to work. Indeed, while the public "fantasizes the Carter family as the American ideal," the Carters are in fact at great pains to get as far away from each other as possible. Both of Jimmy's sisters absented themselves for lengthy periods from their households to embrace the more abstract intimacy of religion. And Jimmy himself chose the Navy (and the presidency?) as a technique for distancing himself from his family. "Rejection," say the authors, "seems to run as a persistent thread throughout the Carter family's history."

—Leonard Reed

Living in Prison: The Ecology of Survival. Hans Toch. Free Press, $12.95.

Marine Policy for America: The United States at Sea. Gerald J. Mangone. Lexington, $19. Here's a book that, because of its title and the way it's written, has to be a strong contender for the Sominex Award. But the idea behind it—tying together the Navy, the Merchant Marine, water pollution, and undersea resources into one intellectual fabric—is so interesting and the research so thorough that it doesn't deserve to be dismissed.

Peasant Politics: Struggle in a Dominican Village. Kenneth Evan Sharpe. Johns Hopkins Univ. Press, $15.

Police Revitalization. Gerald E. Caiden. Lexington, $25. A thoughtful review of the efforts during the last ten years to make police departments more effective in performing their work.

Polity and Theatre in Historical Perspective. Karen Hermassi. Univ. of California Press, $12.

The Roots of Inflation. John M. Blair, ed. Burt Franklin, $15; $7.95.

Small Comforts for Hard Times: Humanists

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on Public Policy. Michael Mooney, Florian Stuber, eds. Columbia Univ. Press, $14.95.

Stormy Weather: Crosslights on the Nineteen Thirties: An Informal Social History of the United States, 1929-1941. J.C. Furnas. Putnam, $15.

Trading Off Environment, Economics, and Energy: EPA's Strategic Environmental Assessment System. Peter W. House. Lexington, $16.

The Ungovernable City. Douglas Yates. MIT Press, $15. A very politicaly-sciencey study of why good city government is well-nigh impossible. Drawing mostly on evidence from New York and New Haven, Yates concludes that there's an untenable degree of "fragmentation" of "inputs" and "outputs."

While Messiah Tarried: Jewish Socialist Movements, 1871-1917. Nora Levin. Schocken, $24.50.

The Wrong Horse: The Politics of Intervention and the Failure of American Diplomacy. Laurence Stern. Times Books, $10. In the small hours of the morning, the telephone rang in Secretary of State Kissinger's home. It was the Prime Minister of Turkey complaining that a Greek armada steaming toward the embattled island of Cyprus was, perfidiously, flying Turkish flags to deceive Turkish aircraft. "Nancy Kissinger," Stern says, "grumbled sleepily to her husband, 'Why don't you tell him to shut up and sink the goddamn things?' " Well, the Turks did just that, only to discover too late that the ships were flying Turkish flags because they were Turkish ships.

The confusion of that event, rather than its buffoonish aspect, is the hallmark of the Cyprus problem: an island rife with inflamed ethnic passions, elevated to nationhood by the big powers, on which the Turkish minority is protected from the specter of massacre only by the fact that the island lies within actual sight of the Turkish mainland. One can hardly blame Nancy for wondering how all this became *our* problem but, in Stern's view, her husband's policies bear a heavy responsibility for the recurrent crises in Greece and Cyprus.

Not, however, sole responsibility. Cold war attitudes that predated Kissinger's tenure put American policy in conflict with independent political leaders in Greece and elsewhere. The "wrong horse" of the title

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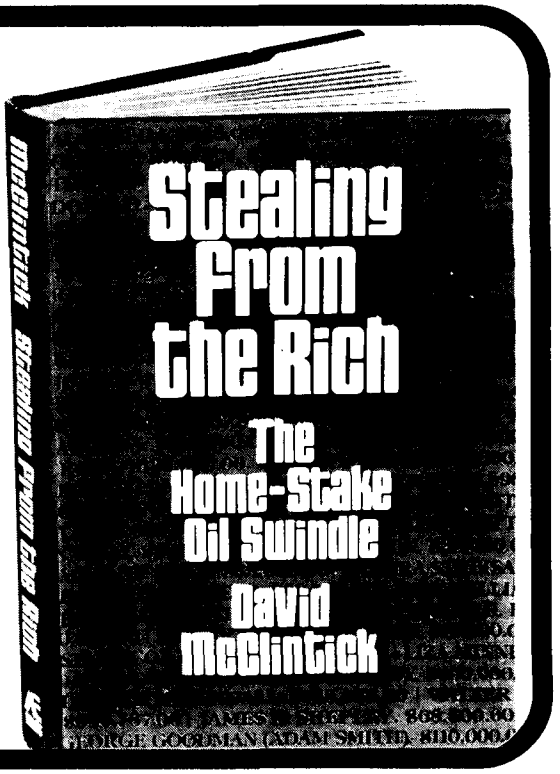

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refers to the Greek military dictatorship the United States supported throughout the Johnson and Nixon administrations, a support always accompanied by the expressed hope that the dictatorship would move toward restoring democratic government. What the Greek dictatorship eventually moved toward was the annexation of Cyprus, a boneheaded course that precipitated a Turkish invasion of the island and the humiliation and demise of the Greek military government.

Stern indicts American policymakers not only for forcing Greece and Turkey into a poorly conceived and unnatural alliance with each other, but also for fostering an arms race between them. The billions of American dollars that poured into the military sectors of those countries bent their political development toward conservative, hawkish leaders out of tune with popular demands for change and redistribution of wealth. As a result of what Stern considers the failure of American policy, that part of the world is more than ever a bundle of uptight nationalistic and political tensions waiting to explode.

If the State Department is Stern's villain in the piece (and he damns it not only for its interventions on behalf of the black hats but for its failures to intervene on behalf of the white ones), Congress is his golden boy. The debacles of Vietnam and Watergate deflated the grandeur of the executive branch and spurred Congress to a more active role in the formulation of foreign as well as domestic policy. To Stern, who is the national editor of *The Washington Post*, the increasing assertion of congressional authority in foreign policy decisions is all to the good. His benediction makes no distinction between Congress' leadership in our disengagement from Vietnam, in which it was reflecting the rising public restiveness, and its role in the Greek-Turkish-Cypriot scenario, where its policy has frequently reflected the fact that American voters with ties to Greece vastly outnumber those with ties to Turkey, not always the soundest basis for foreign policy formulation.

Throughout *The Wrong Horse* the reader is aware of another struggle—the difficulties of the author in obtaining access to specific State Department cables and memoranda. More power to him, then, for having put together a coherent and interesting interpretation of the foreign policy bureaucracy's thinking toward one of the world's trouble spots.

—Leonard Reed

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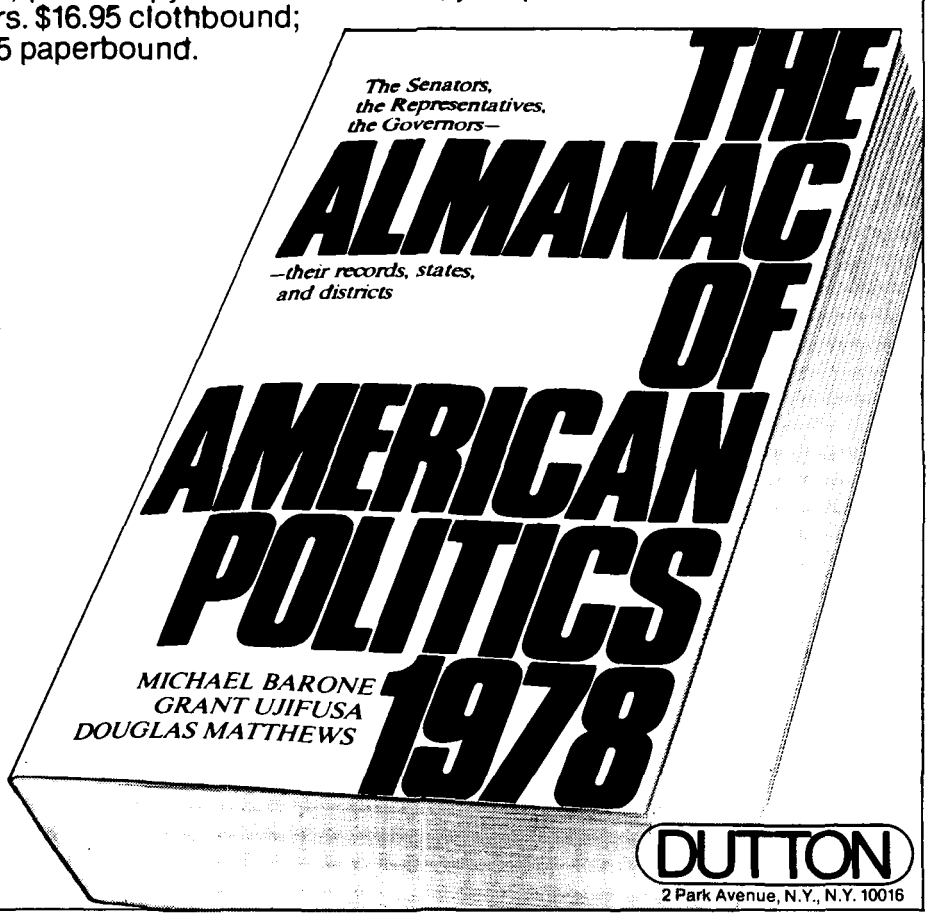

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